

**Appendix B**  
**Comment Letters/E-mails/Public Hearing Comments**

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TABLE B

Index of Comments on the Hyampom EA made by Organizations and Members of the Public

Name	Organization	Comment Type	Date	Comment Number
Duane James, Manager	Environmental Review Office, USEPA	L	04/19/06	40, 76, 97, 104
Robert Franklin	Hoopla Valley Tribal Fisheries Department	E	04/19/06	1, 14, 81
Judy Anderson		E	04/19/06	1, 8, 18, 22, 24, 34, 49, 59
Honey Arey		H	04/05/06	7, 22, 57
Joseph Bower	Citizens for Better Forestry	H	04/06/06	1, 7, 19, 20, 22, 24, 34, 37, 81, 85, 99
		L	04/09/06	
Marc Bruvy		E	04/19/06	1, 20, 34, 49, 56, 57, 59, 61, 81, 83
Jay Carr		H	04/05/06	32
Richard Cheney		H	04/06/06	47, 114
Kent Collard	The Bar 717 Ranch	L	04/18/06	7, 19, 20, 24, 34, 57, 58, 64, 109, 115
Charlene Dunitz		H	04/06/06	32
Neil Harvey		H	04/05/06	1, 2, 7, 8, 11, 13, 19, 20, 21, 22, 26, 29, 30, 31, 34, 49, 50, 74, 83
		H	04/06/06	
		L	04/18/06	
Bill Huber		L	04/05/06	15, 81, 82
Roger Jaegel		H	04/06/06	121
Jennifer Lance		E	03/21/06	1, 34, 49, 57, 58, 60, 61, 62, 66, 68, 70, 81, 85, 105
		E	04/03/06	
		H	04/05/06	
		E	04/07/06	
		E	04/10/06	
Will Lapaz		L	04/04/06	1, 11, 14, 16, 17, 18, 19, 20, 22, 26, 29, 31, 33, 34, 39, 45, 47, 49, 50, 51, 54, 57, 58, 59, 61, 62, 64, 65, 66, 71, 72, 73, 77, 78, 79, 80, 81, 87, 88, 89, 90, 93, 94, 95, 99, 100, 102, 107, 109, 110, 111, 112, 116
		H	04/05/06	
		H	04/06/06	
		L	04/18/06	
		L	04/18/06	

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Name	Organization	Comment Type	Date	Comment Number
Pat and Lindy McCaslin		H	04/05/06	1, 3, 4, 5, 6, 7, 8, 15, 16, 20, 22, 23, 34, 38, 41, 42, 43, 44, 46, 51,
		E	04/18/06	68, 69, 75, 80, 84, 86, 90, 91, 92, 93, 96, 97, 98, 101, 106, 108, 109, 117, 118, 119, 120, 122
Richard Messenger		H	04/05/06	1, 6, 20, 22, 34, 51, 90, 105, 109, 117, 118, 119
		L	04/19/06	
Jan Mountjoy		H	04/06/06	34, 47, 121
John Rapf	Butter Creek Ranch	H	04/05/06	1, 8, 9, 12, 13, 25, 39, 47, 48, 49, 50, 53, 54, 65, 85, 121
		E	04/12/06	
		L	04/17/06	
Marni Rapf	Butter Creek Ranch	E	03/21/06	1, 7, 13, 20, 24, 39, 45, 46, 49, 57, 58, 61, 66, 83, 121
		H	04/05/06	
		E	04/11/06	
		L	04/19/06	
Marni and John Rapf	Butter Creek Ranch	L	04/03/06	20, 22, 24, 26, 34, 46, 47, 49, 50, 57, 58, 59, 61, 62, 63, 67, 70, 81, 84, 99, 102, 103, 108
		E	04/16/06	
Marilyn Renaker		E	04/18/06	1, 27, 34, 47, 55, 57, 59, 62, 63, 71, 81, 109
David Rosenstein		E	03/30/06	34, 81, 85, 105
Al Saxton		L	04/12/06	7, 19, 20, 22, 24, 26, 34, 35, 57, 113
Eberhard Schneider	Old Garrett Ranch	E	04/19/06	1, 3, 7, 20, 28, 49, 50, 53, 57, 62, 81, 85, 92
		L	04/19/06	
Uschi Schneider	Old Garrett Ranch	H	04/05/06	1, 26, 34, 46, 49, 51, 57, 58, 62, 64, 92
		E	04/18/06	
		E	04/19/06	
		L	04/19/06	
Marvin Stewart		H	04/06/06	10, 32, 121
Marianne Strong		H	04/05/06	52
Cynthia Tarwater		E	04/18/06	20, 24, 34
Don Williams		H	04/06/06	20, 121
Cindy Winter		L	04/18/06	1, 49, 51, 55, 62

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Index of Comments on the Hyampom EA made by Organizations and Members of the Public

Name	Organization	Comment Type	Date	Comment Number
Larry Winter		H	04/05/06	1, 49, 51, 55, 62
Jim Wobser		H	04/05/06	10

L= Letter

E = Email

H = Public Hearing





**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION IX**

**75 Hawthorne Street**

**San Francisco, CA 94105-3901**

April 19, 2006

Stephanie Popiel  
Federal Highway Administration  
12370 West Dakota Avenue  
Lakewood, CO 80228

Subject: Draft Environmental Assessment for the California Highway 114,  
Hyampom Road State Route 3 (Hayfork) to Hyampom, Trinity County,  
California

Dear Ms. Popiel:

The United States Environmental Protection Agency (EPA) has reviewed the Draft Environmental Assessment (EA) for the above project. Our review is pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act. EPA's comments are provided below.

*Alternatives Considered*

EPA supports the much needed improvements to California Forest Highway 114. However, EPA has questions about the decision to eliminate from further consideration the bridging of ravines in Segments 4 and 5 of the project (Alternative 5). The bridging of ravines would avoid impacts to habitat and waters of the United States. The justification provided for eliminating this alternative from analysis is based on "the need for a location to place the large volumes of material generated by the Proposed Project (page 44)". The removed material would generate "approximately 250,000 cubic yards of material or almost 30,000 truckloads". Therefore, the preferred alternative proposes to place all of the removed material into the ravines in Segment 4 and 5.

EPA understands that it may be logistically infeasible to transport all 250,000 cubic yards of removed material to an appropriate location via multiple truckloads out of this remote area. We support the Federal Highway Administration's (FHWA) interest in minimizing potential safety, air quality, and community disturbance that would result from large numbers of trucks moving through the project area. However, it may be possible to identify a few ravines that contain high quality, sensitive resources and commit to incorporating bridges at these locations. The Final EA and Finding of No Significant

Impact (FONSI) should identify the impacts to riparian areas, streams and other waters of the United States, and habitat that could be avoided if bridges were to be incorporated at each location where fill is proposed to be placed. EPA recommends that FHWA use this information to consider a mix of bridges and filling of ravines in order to avoid resources while allowing for acceptable amount of material that will need to be transported to another location.

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#### *Water Resources*

The project may require an individual permit from the United States Army Corps of Engineers for the fill of waters of the United States and demonstration of the least environmentally damaging practicable alternative, which is the only Alternative that can be permitted once all measures to avoid and reduce impacts to waters have also been demonstrated. Page 112 of the EA states that more frequent culverts, properly-sized culverts, and energy dissipaters will be incorporated into the proposed design to mitigate the potential effects of increased surface water runoff and the potential for increased soil erosion. FHWA should commit to culvert designs that avoid and minimize all impacts to aquatic resources and allow for movement of wildlife where feasible. The Final EA and FONSI should identify the size and structure of culverts proposed for the project and should link the proposed design to needs for hydrological connectivity at each crossing.

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#### *Section 106 Consultation*

According to the Draft EA, FHWA has begun consultation under Section 106 of the National Historic Preservation Act regarding the potential eligibility of the Segment 4 prehistoric site (page 134). The Draft EA also states that appropriate mitigation measures will be developed as part of the Section 106 consultation process and implemented prior to construction. In the Final EA and FONSI, EPA recommends that FHWA commit to specific mitigation measures developed for this project and describe how specific mitigation measures will reduce impacts from the construction and operation of the proposed project. The proposed methods for mitigating impacts to cultural sites are an important element of the NEPA process and these mitigation methods and commitments should be presented to the decision-makers along with a clear description of what resource impacts cannot be mitigated.

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#### *Habitat Impacts*

Executive Order 13112 on Invasive Species calls for the restoration of native plant and tree species. Page 128 indicates that revegetation of cleared areas will be performed with native plant species and additional specific measures for United States Forest Service (USFS) sensitive plants. EPA commends FHWA for committing to revegetation with native plants and recommends additional coordination with USFS to identify measures to further reduce the estimated impacts to 267 acres of mixed coniferous habitat that may be removed through this project. The Final EA and FONSI should address whether further design changes are feasible and have the potential to reduce impacts. Any design changes incorporated into the Final EA should be presented with a quantification of reduced impacts to resources.

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EPA appreciates the opportunity to review this Draft EA. Please send the Final EA and FONSI to the address above (mail code: CED-2). If you have questions, please contact me at 415-972-3988 or Connell Dunning, the lead reviewer for this project. Connell can be reached at 415-947-4161 or [dunning.connell@epa.gov](mailto:dunning.connell@epa.gov).

Sincerely,



*For*

Duane James, Manager  
Environmental Review Office

CC: Ralph Phipps, United States Forest Service, Trinity National Forest

**Popiel, Stephanie**


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**From:** Robert Franklin [fishwater@pcweb.net]  
**Sent:** Wednesday, April 19, 2006 11:24 AM  
**To:** Popiel, Stephanie  
**Cc:** Dillon, John; Kautsky, George; Orcutt, Mike  
**Subject:** Comments of Hoopa Valley Tribal Fisheries Dept re Hyampom Road Project EA  
**Importance:** High

To whom it may concern:

I am writing today regarding urgent concerns of the Fisheries Department of the Hoopa Valley Tribe that the proposed project, identified as Alternative 2 in the subject document is likely to significantly impact Pacific salmon in Hayfork Creek, the South Fork Trinity River, and in the mainstem Trinity River below its confluence with the South Fork Trinity. Both short and long-term impacts are of concern, and include short-term impacts to salmon habitat during construction activities, as well as long-term impacts once construction has been completed. The project is seen as highly controversial in the communities of Hoopa and Willow Creek, located downstream of the project area and alongside the Trinity River. **It is our view that the National Environmental Policy Act requires preparation of an Environmental Impact Statement for this project, given:**

- the gravity of potential impacts to fishery assets of the Hoopa Valley Tribe, and
- the high level of public controversy in downstream communities.

The Hoopa Valley Tribe is a federally-recognized Indian tribe with fully adjudicated fishing rights within the Klamath and Trinity rivers. The Tribe, alongside the State of California, Yurok Tribe and Federal Government, exercises management authority over water resources, fish and wildlife habitat, and anadromous fish populations. The Tribe enjoys standing as a state under the federal Clean Water Act, and at this time has its final Klamath-Trinity water quality standards under review for approval by EPA. The Fisheries Department of the Hoopa Valley Tribe is charged with restoration and protection of native fish populations and their habitat. The Tribal Environmental Protection Agency implements the Tribe's water quality management programs.

Hoopa Tribal Fisheries became aware of the project through concerned citizens of the Hyampom area. To our knowledge, your agency failed to directly notify the Hoopa Valley Tribe as required by federal law.

We look forward to your response to this urgent matter. Please send all correspondence regarding this matter to me at the following addresses:

Robert Franklin  
 Senior Hydrologist  
 Tribal Fisheries Department  
 300 South Loop Road  
 Hoopa, CA 95546

[fishwater@pcweb.net](mailto:fishwater@pcweb.net)

(530) -625-4267 x14

**Popiel, Stephanie**

**From:** Judy Anderson [janderson@keypress.com]  
**Sent:** Wednesday, April 19, 2006 8:34 PM  
**To:** Popiel, Stephanie  
**Subject:** Hyampom Road Project

Dear Ms. Popiel --

I'm writing to express my concern and strong opposition to the Hyampom Road project as it is currently defined.

Given the scope and breadth of the proposed road project, it simply cannot move forward -- at minimum -- without meeting some very basic criteria:

- \* A thorough Environmental Impact Study and appropriate and open review process
- \* A comprehensive financial analysis of the economic impact on Hyampom
- \* Deep consideration and viable solutions with regard to the safety of the men, women, and children of Hyampom...
  - forced to travel by unsafe, alternate routes during the YEARS of construction
  - put in jeopardy due to seasonal fire danger and the inability of fire/forest services to respond
  - at risk for health complications (or worse) due to the inability to seek or receive timely medical attention
  - at risk due to the work itself and the likely instability of the roads for years to come
- \* An inclusive dialog with the people most impacted by this project

Appropriate due diligence will expose the frailty, the waste, the risk, and the absence of need for this project.

If those behind this project find the issues confronting the people most impacted of so little significance, why then build a \$34,000,000 road to their town?

Hyampom is a community of kind, generous, thoughtful, people with a collective wisdom that spans generations of families who have traversed this road with love, patience, and awe -- none of whom wish they could just drive it a little faster. For the people of Hyampom, our road is as much about the journey as the destination.

Thank you for your consideration.

Sincerely,

Judy Anderson  
 P.O. Box 68  
 Hyampom, CA 96046

Citizens for Better Forestry  
P.O. Box 1510  
Hayfork, California 96041

April 9, 2006

Ms. Stephanie Popiel  
Staff environmental Engineer  
FHWA  
12300 West Dakota Avenue, Suite 280  
Lakewood, CO 80228

Dear Ms. Popiel:

RE: CA FH 114

The Environmental Assessment (EA) for this project does not establish the need for this project with regard to traffic load and the expense of over 30 million dollars for such a small traffic load. (22)

The EA cites Best Management Practices (BMPs) design standards and safeguards as adequate to protect the Critical Habitat and fishery resources of Hayfork Creek from water quality impacts of the project. Past experience has shown that these practices (BMPs) do not assure impacts will not occur. On other forest highway and Forest Service road projects these practices have failed repeatedly. (81) (99)

This project is perched on a very steep mountainside right above Hayfork Creek with portions that are geologically unstable or have highly erodable soils. The EA fails to analyze the significant risk involved, and relies on failed practices to conclude 'no significant impact'. (34)

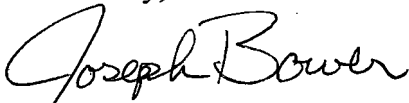
The EA fails to address how the loss of 240 acres of old growth dependent species habitat will be mitigated. Replanting does not recreate old growth habitat, at least not for 100 to 200 years. (85)

There are many economic and social impacts to the community of Hyampom that will be significant and need to be weighed against the benefits. (24)

This project is simply too massive to be put on this landscape without significant impacts. A better approach would be a greatly scaled down project that would fix the worst problems. Maintenance costs will always be expensive for any road on this mountainside and may be greater with the larger cuts and fills proposed, some of which will surely fail. (20) (37) (34)

It is clear to us who live here and drive this road that the project will have significant impacts on the human and natural environment and therefore requires an Environmental Impact Statement. (1)

Sincerely,



Joseph Bower, Conservation Chair  
Citizens for Better Forestry

**Popiel, Stephanie**

**From:** Marc Bruvry [bruvrym@TMMC.org]  
**Sent:** Wednesday, April 19, 2006 6:31 PM  
**To:** Popiel, Stephanie  
**Subject:** Hayfork-Hyampom road

Dear Ms Popiel,

I am writing you with regard to the proposed road closures and the effects it will have on our community of Hyampom.

I believe the Hyampom Road project needs to be scaled back. I also believe that the EA needs to better address the impact that this construction will have on the Hyampom community as a whole. (20)

At the meeting in Hyampom, it was suggested that Forest Service roads be used as alternate routes. These "alternate" routes do not meet safety standards to be designated as alternate routes. These routes are steep, winding and unpaved. The EA has failed to address the public safety that will result from the increased traffic along these routes. This issue can not be ignored. We are an isolated community. If there is major road failure due to construction (during a summer storm, which might make the "alternate route" impassable or, if there is the kind of fire season that has plagued us in the past) we would truly be in jeopardy. Hyampom would be completely cut off. (49) (59) (56)

We also have a major concern that the Hyampom School will be adversely affected. There may be loss of jobs at the school, which Hyampom cannot afford. In addition, Hyampom's two largest employers, Bar 717 Ranch Summer Camp and Eden Botanicals have expressed their concerns of the impact of road closures on their businesses. The EA dismisses the road closures as "inconvenient but not significant." The economic impact on a small village such as Hyampom is bound to be devastating. Hyampom cannot tolerate conditions of road closure for years to come. The environmental effects, from debris of the construction, on fish, and wildlife populations has not been well enough addressed. A landslide into Hayfork Creek would bring problems that are not solvable. Measures need to be thoroughly explored to lessen the impacts on our fragile ecosystem. (61) (57) (81) (83) (34)

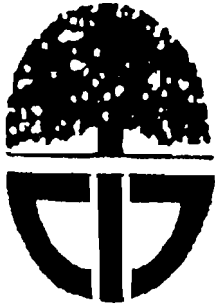
Tourism is nearly our only "resource." Fishing and hunting are an important source of income to this valley and road closures, as set forth, will deter many if not all. (57)

Our community voice needs to be heard and understood. There are significant social, economic, and environmental effects that need to be addressed before this project goes forward any further. (1)

The risks of this project are too great for our small fragile community.

Sincerely concerned,

Marc Bruvry  
P.O. Box 68  
Hyampom, Ca 96046



# *The Bar 717 Ranch*

Mountain Ranch living for children ages 8-16  
Star Route Box 150, Hayfork, CA 96041  
camptrinity@bar717.com

Established 1930  
(530) 628-5992  
www.bar717.com

April 18, 2006,

Re: Federal Highways Administration Improvements to Hyampom Road  
(Forest Highway 114, County Road 301)

Dear Sir or Madam,

My name is Kent Collard, and along with my family, I own and operate Camp Trinity on the Bar 717 Ranch. The Ranch is composed of 425 acres located 16.8 miles from Hayfork on the Hayfork-Hyampom road. Camp Trinity is a residential children's summer camp that has been in operation since 1930. Each summer we have approximately 300 children and 50 staff members join us here at the Ranch for 10 weeks of summer camp. In addition, we also lease the Ranch to other user groups during the summer and fall.

I am writing to express my concerns regarding the proposed reconstruction of the Hyampom Road.

In the four years that have elapsed since the project was first announced significantly more information has become available concerning the scope, design, and timetable for the proposed improvements to the Hyampom Road. As a business owner and resident, I continue to support improvements that would increase safety and provide reliable access. I also support improvements or alterations that would decrease maintenance costs for the Trinity County Department of Transportation (TCDOT), and I support a design and construction methods aimed at delivering less sediment to streams. With that said, as more information has become available, I have become increasingly concerned about several aspects of the project as it has been proposed.

First, I am very concerned about the current scope of the project. The scale, cost, and duration of the project seem grossly disproportionate to the need. Many other Hyampom residents shared these same concerns during public comments at the April 5<sup>th</sup>, 2006 meeting at the Hyampom Community Center. While there was universal support for a project that reduced maintenance, increased reliability, and improved safety, there was very little support for a \$35,000,000, eight-year, complete reconstruction. A 'use it, or lose it' rationale to explain why funding was earmarked only for reconstruction fails to address the underlying question asked by so many Hyampom residents: Would not the community, other forest users, and taxpayers be better served by a project that identified and addressed specific repairs instead of complete reconstruction? It seems that the people who use the road everyday would like to see appropriately scaled, appropriately designed investment and improvement. In other words, fix

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what is in need of fixing. Don't tear up what already works, Just because the money is there, (and may not be back for a long time), doesn't mean it has to all be spent.

Other rationales given for complete reconstruction vs. repair were that roads have a defined lifespan. This is only true if they do not receive adequate maintenance. The Via Appia in Italy, built during the Roman Empire is 2000 years old and still in use thanks to periodic investment and repair. The unique character of the Hyampom Road will be obliterated by the FHWA design. Ironically, in her presentation following the FHWA meeting, Donna Harmon, District Ranger for the Southfork Management Unit (SMU) of the Shasta-Trinity National Forest stated that it was exactly that kind of unique feature that had been identified as being the primary draw for recreational users of this area. Harmon stated that the rustic, historical, and remote character of the SMU's campgrounds, road, and trails filled a recreational niche sought by forest visitors. Reconstructing the Hyampom Road to Federal design standards will by stated intent eliminate the unique character of the existing road.

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Second, as a business owner I continue to be greatly concerned that the TCDOT and FHWA are not making more of an effort to coordinate their planning such that any construction on the various segments occurs concurrently instead of sequentially. The rationale for scheduling construction on the various segments concurrently is obvious: to minimize the schedule for proposed road closures. Even with the understanding that the scale of the project will take more than one season to complete, it still makes no sense whatsoever to schedule construction such that passage over the road is disrupted for more than the minimum number of seasons. Common sense would dictate that the whole project be considered one job--to save time, money, and to minimize disruptions.

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As proposed, the 4-hour traffic delays will have a severe negative impact on our business. We receive deliveries of food and supplies throughout the week. For most vendors we are just one stop on their route. Arrival and departure times are dependent on the number of other stops, and thus cannot be planned to take advantage of scheduled times the road will be open. Also, each month in the summer we have delivery trucks that we have to meet in Hayfork at various times of the day. Again, it is impossible to schedule these trips because their arrival times are dependant on the frequency and duration of other stops on their route.

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In addition, we have kitchen staff that commute to work daily from Hayfork. Many of them work shifts that do not correspond to the proposed schedule for temporary passage during construction. Long delays could make it very difficult for them to arrive at work on time. Also, visiting parents, and other user groups do not always schedule their travel during weekends (as we do for camp sessions) and would thus be greatly inconvenienced. Finally, although we have a doctor and a nurse on site, we occasionally need to take campers into Weaverville or Redding for X-rays or further treatment following falls or other injuries. While not emergencies, these instances do require urgent care that should not be delayed 4 hours. My concern is that, however infrequent, such cases would not warrant opening the road for emergency travel. This would leave us in the uncomfortable position of having to wait to initiate diagnosis and care for an injury.

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Finally, I am concerned that the scale of the project may cause environmental disruptions that potentially outweigh the benefits of addressing the current environmental problems with the Hyampom Road. Large scale cuts and fills, engineered or not, have a history of failures in this region. A short drive past Hyampom to Big Slide confirms that even sophisticated earthwork engineering, constructed with modern equipment, materials, and practices can fail in the very first winter. Observing the proposed centerline stakes, it appears there will be dozens of locations that require large fills. The scale of the construction is such that huge amounts of earth will be removed and relocated. It seems reasonable to assume that even if only a small percentage of these fills were subject to failure, the quantity of sediment involved would be considerable. As someone who is responsible for a 20+-mile network of roads on our own property, I am well aware of the difficulty of managing sediment and maintaining roadbed integrity. Even with best practices, and the best intentions, engineering failures will occur.

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I urge you to consider an alternative to the current TCDOT and FHWA proposals for the Hyampom Road—an alternative that addresses the problems of safety, maintenance and sediment, but one that does not create 5 to 8 years of seasonal road closures. In addition, I urge you to support appropriately scaled improvements to the Hyampom Road. If the money and the will are there to rebuild the whole 14.5 miles, then common sense says they should be there to design and build a road that gets you safely from here to there, while still preserving the best of what already exists.

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Sincerely,



Kent Collard

## COMMENTS TO THE ENVIRONMENTAL ASSESSMENT

**For California Forest Highway 114, Hyampom Road, etc. dated February 2006**

April 18, 2006

To:

Stephanie Popiel  
Federal Highway Administration  
Central Federal Lands Highway Division  
Attn: Environment (CA 114), Suite 280  
12300 West Dakota Avenue  
Lakewood, CO 80228

From:

Neil Harvey  
P.O. Box 89  
Hyampom, CA 96046

Dear Ms. Popiel,

The current Environmental Assessment document pertaining to the Hyampom Road project is far from adequate. Environmental, cultural, and economic impacts of the project will be severe. These potential impacts are great enough that an EIS is needed to bring the project plans up to legal standing and to provide the Trinity County Board of Supervisors a more useful document from which to make most informed decisions effecting the lives of their constituents.

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Who Asked Who?

The Trinity County Road Department exhibits a handful of letters requesting the funding search for this road project. How were those letters collected? Was it legal to hand pick a few interested parties to submit letters? The community as a whole was not approached the way it should have been.

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Years later, the first public information meeting, giving opportunity for public input was held in Hayfork. It was only after Hyampom residents raised a ruckus that meetings were held in Hyampom. This is one of the disconnects between the best thinking of office ensconced planners and the on the ground realities of these mountains, these mountain people, and this particular mountain road.

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## The Process: Democracy or Public Relations?

Upon learning of the project, before the first informational meeting was scheduled in Hayfork, Hyampom residents called together a community meeting with the sole intent of trying to determine if there was any consensus about how people felt about it here. Our Supervisor showed up and rather than listening and gathering input to best represent the community, he verbally attacked community members who expressed any negative concerns about the project.

The public hearings or public meetings we have been invited to since, have had all the markings of staged public relations shows. Ms Popiel and staff listened intently and worked to defuse or deflect any and all public concerns, all in good cheer like public relations Aikido fighters. But is a public hearing/meeting about assurances and efforts to deflate personal concerns or about genuine dialogue? The implicit goal did not appear to be about genuine dialogue and listening but the careful stepping over and around any local obstacles to the project's acceptance and the starting of engines. The public hearings were carefully passed over like legal hurdles to be checked off the list, or as one local resident put it : "To make the natives feel like they got a chance to express themselves..."

Displays illustrating the beloved school bus on "before" and "after" Hyampom Road mock-ups, the bus picture digitally cut and pasted into the EA cover image, website home page and laminated posters...not unlike staged political photo op sessions. These proceedings have appeared to be mock-ups of democracy and do not fulfill the intent of laws designed to give the public a true voice in shaping how their tax dollars are spent in their local communities.

The integrity of the cultural and economic sections of this EA is dependent on public input. Though budget was allocated to transport, house and feed eight FHWA representatives so they could be on hand for the April 2006 "public hearings" of the EA, no additional hard copies or CD-Roms of the document were made available to local attendees. My request for a copy of the document, made on April 5, 2006, was responded to. I received a copy for review, sent via regular mail, on April 18<sup>th</sup>, one day before the deadline for submission of public comments. Throughout this process, the effort to obtain public input by the lead organizations has been less than robust. Budget priorities, saving dollars on printing and shipping the actual legal document in question while spending thousands to bring road department support staff, indicate a campaign of public relations and spin not a genuine engagement in democratic due process and dialogue.

Despite the mock-ups and public relations campaign, an informal survey of my neighbors indicates to me that the majority of Hyampom residents still see the current scale of the Hyampom Road project as devastating. The hours and hours, years and years of planned road closures are stunning and outrageous. As at the outset, the project continues to be perceived as something none of us sought, something that is being rammed down our throats no matter our expressed concerns or protests. It has been referred to as the "\$25,000,000.00 road project to nowhere." That was before we learned the projected budget has climbed to \$34,000,000.00. (And today the price of a barrel of oil hit \$71.) I ask: "Whose ungrounded vision of our future are we about to become the victims of? Whose agenda is about to transform the best of small town life into a protracted nightmare of disruptions, inconvenience, new dangers, economic hardships,

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ecological and aesthetic degradation, and the cultural upheaval that a big road future will undoubtedly bring?”

What is real?

Outsiders perceive problems with the current Hyampom road that we who use it regularly don't see as problems of significance. There is a consensus that the road needs repairs but a REBUILD, on the scale that is proposed, is like applying intensive chemotherapy to remove a wart. The fear is that the treatment will be more deadly than the disease. The treatment that is currently proposed will end up killing the patient, as we know her. The Hyampom community, which we who live here deeply cherish, will be forever damaged culturally, economically, aesthetically and ecologically. The scenic, slow, quirky road is as much a part of the character of this unique, slow, quirky community as are the wild rivers that flow here, the community hall, beer garden, our beloved animals, gardens, orchards and vineyards, Annual Pie Auction, the small school house, Halloween Parade, and the good Americans who've chosen to live specifically at the end of this very particular road.

Economic Impact

I am a producer and writer for public radio. I communicate with my co-workers in Arcata, Ukiah, the San Francisco Bay Area, and New Mexico via email and telephone. I depend on Express Mail for shipping my audio work out, Fed Ex and UPS for the audio that comes in to me to work on. Often deadlines require quick turn arounds. Even a day's delay in mail service while projected road work is underway could jeopardize my good standing with those I work with.

I travel regularly to attend staff meetings, and conferences. With road closures for six years, I will be faced with the expenses of additional nights at motels, additional restaurant meals, and the loss of billable hours due to delays getting back home to my studio.

My profit margins are not large. What additional money I do earn, I use to employ several local neighbors in fire fuels reduction and other farm work on my property. The impacts to my business, depending on the actual management of the projected road closures, could be significant and could affect my ability to give employment to local workers.

Geology – the Slippery Slopes of the Hayfork Creek watershed.

We all know the geology of the area is unstable. The old timers here all warn that new disturbances to the cliffs above the road will be disastrous. It has taken many decades for these cut slopes to settle to the degree that they have. The current plans will result in wet season slides like we've not seen for generations. Consequently, the post construction maintenance costs will be far greater than what it currently takes to plow rocks off the road and clear occasional slides. Because the county is perilously close to insolvency, unless there is some warranty agreement from contractors for the long-term stability of their work, access to the outside world for residents will be far more precarious than it is today – for generations. The county will be bled and bled by decades of increased maintenance. All this is inadequately addressed in the current EA.

We are assured that “new technology” is now online and that destabilized slope management will be well addressed so that there will be no significant impacts in this regard. As proposed, this project chooses the low budget versions of making mountain scars look a little better. If there is “new technology” I don’t see where it will be brought to this back woods project, whose budget has already ballooned. If “new technology” refers to what has been used in Trinity County anytime recently... This item needs more work in an EIS.

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During the 6 years of construction, can we picture the kind of mess residents will have to pick their way through as Section 4 blasting is underway and county crews are working over time cleaning up the fresh mud slides created by the earlier work on Sections 1, 2, 3 and 5? We’ve seen what the good intentions for road improvement have brought to the poor people in Ruth. The potential slippery downside for the cliffs above Hayfork Creek, make the Ruth fiasco look like kid’s stuff. Going down that path – no thanks.

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Please fix what’s broke. Don’t tear into the sections that are working and holding together just fine in one of the rainiest seasons we’ve seen in years.

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Safety – This project will NEVER make the Hyampom Road safer.

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The Mountain Valley School District claims to be concerned about the safety of our school children. Why then do they subject the less than 10 Hyampom students to a 1.5 hour commute each way on an ancient bus with a carrying capacity of 75? Is the safety of our students not worth the trouble of a little redrawing of the bus routes? The current bus is poorly suited to mountain driving. A van would be a much safer option for Hyampom students and pull far less from the County, State and/or National treasuries. Why not conform the bus to the size of the road rather than build a road that the big bus can better lumber over?

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Oddly, the current EA shows very different accident statistics than did the tables presented in the scoping report of several years ago. Where did these new figures come from? On-the-ground experience of those who regularly drive the road bears up why this little road is so safe. Because of the very irregularities (turns, contour, bumps, etc) - that this project proposes to reduce and remove - no driver can get up enough speed to cause serious danger to him/herself or to others. Speeds are slow enough currently that collisions just don’t happen. All the unique characteristics of this road communicate to anyone that defensive driving is required. Defensive drivers are safe drivers.

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The EA chooses to compare Hyampom Road’s safety statistics with other typical country roads in California. The EA should compare the Hyampom Road’s safety record with that of Rte. 3 or Rte. 299... Project planners’ goals are to bring the Hyampom Road closer to the characteristics and achievable speeds of Rte. 3, and Rte. 299. Rte. 3 and 299 are killers. As the Hyampom Road is engineered toward those deadly standards, that is when we will see our first major accidents. Increase the possible speeds we can drive and we will drive and exceed those speeds – and for the first time on record we will see multi vehicle accident deaths on the Hyampom Road.

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The EA fails to provide alternate routes for drivers to use during the extended construction road closures. There are forest service roads that are open during the summer months but these roads are far more dangerous to drive on – narrow, extended unpaved sections, steep, rarely maintained. The FHWA, the County Roads Dept., and

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Forest Service see legal exposure if these available routes are designated as official detours but they nod and wink that folks will travel them rather than face 4 hour waits in 100 degree summer heat. This is irresponsible planning, sets up conditions that are unsafe for people like me and, even more importantly, for mothers and fathers with school aged children who will be traveling back and forth on those roads several times a week. This is another significant impact, exposure to dangers on unacceptably dangerous alternative routes, that is not adequately addressed in the EA.

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#### Public Access –

I question the wisdom of investing \$34,000,000.000 to increase access to the resources of the South Fork of the Trinity River watershed just as Forest Service budgets are being severely paired back. I am particularly concerned about the impacts increased numbers of RV campers, unfamiliar with this landscape, will have in this high fire danger area when Forest Service oversight, enforcement, and management will be severely scaled back.

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#### Conclusion?

You know how I feel about this project and how I feel about this project has felt worse the more problems I see in the EA and the more I reflect on the Process we have been subjected to. This road project, as proposed, is a foolish idea. Worse, I am more convinced than ever, it is a dangerous idea. The impacts of extended road closures, the impacts to wildlife...need more study, need to be more fully addressed in an EIS.

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Clearly, the impacts to the community of Hyampom will be significant impacts therefore an EIS is required to further look into the impacts to the community, and to the environment.

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The Hyampom Road needs repairs. Yes, certainly. Immediately. But there are more economically responsible ways to address those needs that better serve the Hyampom and Hayfork communities, the county, the state, and this country. A \$34,000,000.00 road to nowhere is folly in these times of record government budget deficits. The Federal Gov't can't afford such wasteful use of taxpayers' money with wars on terror, the Katrina disaster, the Social Security Crisis, etc, etc.

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If it ever actually happens, I predict that the Hyampom Road Project, as it is currently outlined, will prove to be a bitter undertaking. No matter the contractor, the County will be treated to the kinds of challenges faced with Rte. 36 and the recent road work in Ruth. Rather than a boon of free Federal dollars saving a prostrate County Road Department, this, as it is currently planned, will end up a nightmare.

The Hyampom Road project, as proposed is too big. Segments have been drawn. Those segments should be redrawn so that the project can be scaled back to rebuild sections where the road actually threatens to fail. That would make far more sense on the ground.

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#### Love

This is a precious place. Like me, so many friends say that one of the reasons they fell in love with this area and moved here was because of the amazing, unique, and beautiful Hyampom Road. You have to go slow, and in a world ever careening faster and faster, going slow is a rare and valued gift.

How to communicate this? This is a different culture. The characteristics of the people who choose to live out here are shaped by the characteristics of the current road. It incubates a surprising amount of good will and affection. You see here a healthy, peaceful, community – a rare thing. It is a relatively poor community but it is a community of giving. Everyone matters here. This odd little road is a big part of who and what we are. Remake the road and the community that loves this place, this unique micro-culture, will be remade into something else. It will be lost. This cultural impact appears nowhere in the Environmental Assessment and should be addressed in an EIS.

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Thank you for considering these concerns. We appreciate the sincere efforts of all involved in this process. It has truly been good to get to know you and those you work with. Please recognize the significant impacts that will be suffered upon this place and people by the current plan. These impacts will echo through this generation and into the next. The impacts deserve a closer look. The scale of this proposed project and so its impacts require an EIS.

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I look forward to your response and to the opportunity to work together in the future.

Sincerely,

Neil Harvey  
P.O. Box 89  
Hyampom, CA 96046



**CALIFORNIA FOREST HIGHWAY 114  
HYAMPOM ROAD  
APRIL 5 AND 6, 2006  
PUBLIC MEETING COMMENT CARD**

Please hand in your comments prior to leaving or if you would like more time to write your thoughts, simply fold this page and mail your comments to the address on the back.

Please provide us your comments about the project in the space below:

Is there any single factor that could stop this project!?

\* Negligible effect on salmon. Were summer T-storms taken into account? Spring chinook use Hayfork Cr. in summer. 2 in./hr. rain is not beyond comprehension. How to mitigate?

Safety. This was touted as improving safety. Why not continue the project into Hyampom, eliminating the areas where fatalities have occurred? I.e., from the end of the project into Hyampom.

Thank you for your participation!

**Notice:** Copies of all comments provided may be made available to the public. This will include names, addresses, and any other personal information provided with the comments. Your comments will be considered with or without the following optional information (please print):

Name Bill Huber Phone and/or email \_\_\_\_\_  
Address Box 1 Hyampom, CA. 96046

Please add my name to the mailing list: Yes No

## Popiel, Stephanie

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**From:** Jennifer Lance [jlance@hughes.net]  
**Sent:** Friday, April 07, 2006 8:52 AM  
**To:** Popiel, Stephanie  
**Subject:** Hyampom Road Project

Dr. Ms. Popiel,

Thank you for traveling to Hyampom to meet with the community and listening to our concerns. I am still concerned about the project in its current form. My main concerns are to the wildlife, such as the NSO and salmonids. However after listening to comments during the meeting, I do not understand how your report can find that there will be no impacts on the community. The alternative routes into Hyampom, that will not be maintained as part of the project, suffer road damage from our wet winters, just as the Hyampom Road. For example, Underwood Mt. road that leads to Burnt Ranch suffered a huge slip out that has a temporary bridge on it currently. Sims Mt. Road that leads to Willow Creek has several slip outs and one location where the road bed dropped several feet. During a difficult winter, as we have just experienced, these roads will not be repaired in advance of any construction on the Hyampom road beginning in May. These roads will also require repairs, leaving road closures on these alternative routes as well.

Who will receive the proceeds from the logging that will occur in order to prepare for road construction?

How can you build on fill considering the unstable soils in our county?

Sincerely,

Jennifer Lance

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## Popiel, Stephanie

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**From:** Jennifer Lance [jlance@hughes.net]  
**Sent:** Monday, April 10, 2006 3:17 PM  
**To:** Popiel, Stephanie  
**Subject:** Hyampom Road Project

Dear Ms. Popiel,

Upon contemplating the Hyampom Road Project, I believe there will be some social and economic impacts to the residents of Hyampom and Hayfork. I am an employee of the Mt. Valley Unified School District in the position as family advocate. I believe the proposed road closures during construction will have a negative impact on low income families. Many of these families rely on commodities to survive. Food commodities are given to families once a week on Thursday mornings. How will families travel and return home with these commodities, ensuring their freshness, etc, with 4 hour road closures? I am also concerned that families will have trouble keeping their WIC and food stamp appointments. These services could not be transferred to Willow Creek, because Willow Creek is in a different county. Also, free or low cost vaccinations are offered in Weaverville every week and once a month in Hayfork. Some of these families do not have transportation and rely on others to reach services. The proposed road closures would cause these families to suffer undue hardships.

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I am also concerned with the Hyampom Arts Magnet School's ability to survive during the construction period. The school has always teetered on the edge of staying open. Any loss of new families or of families already residing in the valley would devastate the school. Without a school, the Hyampom Community would suffer greatly and property values would fall. I am also concerned with how the school will receive county services during the construction period. Currently, a speech therapist, a special education physical education teacher, a special education teacher, and a counselor provide the school with regular service. Despite the fact that much of the construction period does not occur during the school calendar, the special needs children will have to do without services for approximately 3 and 1/2 months during construction times. As a mother of two small children, I am also concerned about the access my family will have during the many years of construction. For example, how am I to take my child to swim lessons in Hayfork during the summer months?

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One other concern I have is with the economic impact to Hyampom and Hayfork. There are obvious impacts to Hyampom businesses from loss of deliveries and tourism. However, I do not feel the impacts to Hayfork have been significantly studied. Residents of Hyampom will most likely chose to travel alternate routes out of the valley during construction periods. These alternate routes lead to Willow Creek. Grocery stores, restaurants, the gas station, the health food store, and the hardware store in Hayfork will most certainly suffer as the residents of Hyampom take their business to other communities. Some of Hayfork's businesses may offset these losses from purchases made by construction crews, however their numbers can not offset the entire population of Hyampom.

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In conclusion, I do not feel that the current assessment adequately addresses the social and economic impacts to Hyampom and Hayfork. I do not believe the project should proceed forward in its current state. The risks are too great to these small communities.

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Jennifer Lance

## Popiel, Stephanie

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**From:** Jennifer Lance [jlance@direcway.com]  
**Sent:** Tuesday, March 21, 2006 3:28 PM  
**To:** Popiel, Stephanie  
**Cc:** wahuber@jeffnet.org; patnlindy@starband.net; jrapf@direcway.com; gretchen717@earthlink.net; Richard Klein; Marni Rapf; katharine@direcway.com; Marilyn Renaker; Thomas Flebotte; bernard81356@yahoo.com; nharvey@sonic.net; lcwinter@hayfork.net; jack@freemanarchitects.com; uschiundebbe@pghmail.com; timuna@earthlink.net; Steve; Charley Sweet; mmiller@saber.net; wildriverrose@starband.net  
**Subject:** Hyampom Road

Dear Ms. Popiel,

I have many concerns regarding the Hyampom Road project. In previous correspondences, I have expressed my concern with the disturbance of archaeological/historical locations and potential landslides as a result of road widening. Now my chief concern with the project is the disturbance of the salmonid habitat of Hayfork Creek. It is stated in the Environmental Assessment that the project is "not likely to adversely affect" the coho and chinook population. This statement does allow for the possibility of a disturbance of already fragile species, however likely or unlikely it is. It is also stated in Table 2 that the long term effect of the project is "...some permanent disturbance of habitat for Trinity bristlesnail, bald eagle, and NSO, coho salmon, some permanent disturbance within NSO critical habitat due to tree removal." I understand that this issue has been studied with the appropriate agencies, and I have read some of the correspondences.

As you are aware, Hayfork Creek flows into the South Fork of the Trinity, which eventually leads to the Klamath River. The Klamath River fisheries is in dire straits, with returning spawning numbers failing to meet critical levels for the third year in a row. Currently, the Pacific Fishery Management Council is considering three options for commercial salmon fishing. All of these options are extremely restrictive, with the favored position being no commercial salmon season at all. This is a critical time for the survival of salmonids in the Klamath River and its tributaries. I can not support a project, such as the Hyampom Road project, that could affect the fisheries in even the slightest way.

This is a critical time for the Klamath River and its tributaries. There are many contributing factors to the current crisis we face on the Klamath. Why would we undertake a project that could have even the slightest impact on the fisheries? At the very least, please postpone the project for five to ten years to allow the salmonid populations to rebound from this critical low.

Sincerely,  
Jennifer Lance  
PO Box 139  
Hyampom, CA 96046

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April 18, 2006

**To:** Stephanie L. Popiel  
Federal Highway Administration  
12300 West Dakota Avenue, Suite 280  
Lakewood, CO 80228

**From:** William J. Lapaz  
PO Box 218  
Hyampom, CA 96946

**Regarding:** Environmental Assessment for California Forest Highway 114, Hyampom Road, State Route 3, Trinity County, California, dated February 2006

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As a resident, property owner, and business owner in Hyampom I would like to take this opportunity to question the need for a reconstructed Hyampom Road.

I also want to say that my business, Eden Botanicals, would be negatively affected by the proposed project. Eden Botanicals is one of the largest employers in Hyampom. We ship out more than 300 orders per month and rely primarily on UPS and USPS for our deliveries. We also rely on UPS and FedEx for deliveries of stock and supplies.

Any disturbance of these services could be very detrimental to this business and its six employees.

Eden Botanicals is showing a rapid growth with 54% increase in sales for the year 20005 and more than 100% increase in sales in the 1<sup>st</sup> quarter of 2006. We have gone from 2 employees in 2004 to 6 employees in 2006.

Eden Botanicals has a daily UPS pickup account, meaning UPS is under contract to come to our facility everyday to pick up and deliver packages. Please correct this error in the EA which states that UPS does not pick up packages in Hyampom. We have had this account since summer, 2004. Timely movement of goods both in and out is critical to this type of business.

I moved here in 2004, well knowing the condition of the Hyampom road. I chose to buy property, settle in and move a business here. I like that the road is small and by necessity drivers need to move slowly and pay attention. One local saying is "drive slow and swerve a lot". A bigger road is not necessarily a safer road. I do not want to drive this road and see 237 acres of cleared forest along 9.8 miles – nearly 24 acres of clearing per mile of roadway. This road project will have a big impact on this community which I admit is hard to quantify, but never the less important to us who live here.

Personally, I would like to see a smaller project. The Hyampom Road is in need of repair

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and maintenance and even perhaps some reconstruction along specific sections. However 13 miles or so of complete reconstruction along a 22 mile road, is not needed, nor wanted by many people in Hyampom, who by the way, are the people who will have to bear the burden of social impacts caused by this project. It is easy to go along with the project if one is on the other side of the reconstruction. From this side it is not so pretty. And, I believe there are serious safety concerns that have not been adequately identified or mitigated.

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I would like to work towards a compromise solution.

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I believe that if the federal government and the Federal Highway Administration wants to proceed further with this project that they should prepare an EIS to better analyze the impacts and to ease some of the inadequacies (as outlined in a separate letter) of the EA.

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I also believe that there will be significant negative impacts to the social and economic environment and perhaps also the biological environment. An EIS would allow for further study to address these impacts and make more informed recommendations.

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Thank you for your consideration,

A handwritten signature in dark ink, appearing to be 'Will Lapaz', written in a cursive style. The signature is positioned above the printed name 'Will Lapaz'.

Will Lapaz

## **COMMENTS TO THE ENVIRONMENTAL ASSESSMENT**

**For California Forest Highway 114, Hyampom Road, etc. dated February 2006**

April 18, 2006 (Corrected and resubmitted by email on June 7, 2006)

### **Prepared for:**

Stephanie L. Popiel, P.E.  
Environmental Compliance Engineer  
Federal Highway Administration  
Central Federal Lands Highway Division  
12300 West Dakota Avenue, Suite 280  
Lakewood, CO 80228

### **Prepared by:**

William J. Lapaz  
Revegetation/Mitigation Specialist  
PO Box 218  
Hyampom, CA 96946

### **Regarding:**

Inadequacies and omissions found regarding Project Impacts and other findings as reported in the Environmental Assessment for California Forest Highway 114, Hyampom Road, State Route 3, Trinity County, California, dated February 2006

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## **INTRODUCTION**

Thank you for the opportunity to comment on the Environmental Assessment (EA) for California Forest Highway 114, Hyampom Road, State Route 3, Trinity County, California, dated February 2006, prepared by CH2M HILL for FHWA.

It is my professional opinion (as a Revegetation and Mitigation Specialist\* [see below]) that the Environmental Assessment is insufficient and inadequate in many ways. The omission of known impacts, insufficient data, inadequacy of reporting and other severe flaws in the EA (not all of which are pointed out in this current letter) lead me to conclude that:

- The EA is not sufficient to determine whether many of the impacts as listed in the EA

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are significant or not (primarily in the realm of Social and Economic and Biological impacts, but also including Wetlands and Water Resources).

- There are at least some significant impacts due to the proposed project, however they are not specifically called out as being significant impacts in the document.

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- There is pertinent information that has been withheld from the EA including known impacts primarily on the Social and Economic environment, and possibly the Biological environment (including information regarding the alternate routes that vehicles will use during the Project construction phase).

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- There are several impacts that are understated in the EA.

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In any or all of these cases, an Environmental Impact Statement (EIS) is required for this project to proceed further if the federal government is to follow NEPA law.

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Representatives of FHWA have already stated their intention to complete a Finding of No Significant Impact (FONSI) for the Hyampom Road Project (Project). They have done so prior to the close of the comment period for the EA, before they have heard if the public has found any errors in the EA, and before the public has had a chance to concur or dispute their findings of no significance impacts. I hope this letter and others like it from concerned and knowledgeable citizens of the Project Area will be taken seriously by the project proponent and lead agency: FHWA.

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Under California and federal environmental law (CEQA and NEPA) the project proponent or lead agency for the Project is required to declare all known impacts so that a determination of whether there are significant impacts can be made. If there are significant impacts an EIS is required for a federally funded project in California. If the federally prepared EA does not adequately address the project impacts, an EIS is required. The presentation of inadequacies, such as the failure of the EA to identify all of the project impacts, or attempting to understate the project impacts is important because if the EA is not adequately prepared, or if there is not a “good faith effort” to disclose all of the project impacts, or if there is “omission of relevant information”, then there is cause to require the federal government to prepare an EIS under NEPA.

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## COMMENTS AND CONCERNS REGARDING IMPACTS

I intend to objectively review and comment on the EA. I do so as a Revegetation and Mitigation Specialist\* with 12 years of professional experience in biological consulting and contracting. I will first comment on Table 2 (pages 3 & 4) of the EA.

Table 2 is a summary of Impacts from the proposed Project. Table 2 is an overview of the most significant impacts found during several years of studying the proposed Project. As a summary of the short and long term impacts it is perhaps the most important feature of



the entire document.

The following is a presentation of the inadequacies found in Table 2. Also presented are appropriate references to other sections of the EA (references that in some cases refute the claims made in Table 2). In other cases the references concur with the impacts that are presented, but failed to make it into Table 2. In many instances there are no references to the EA. In these cases, the report completely fails to identify the impact.

Note 1: Short-term impacts are those impacts expected during the construction period which is expected to last 4 to 6 years for the portion of the project included in the EA.

Note 2: The Project Area includes the Communities of Hyampom and Hayfork, and the stretch of Hyampom Road that connects these two rural communities. However, I have limited my comments on the Community (Social and Economic impacts) impacts to the community of Hyampom (population 236) because the community of Hyampom has only one paved, year round road in and out of the community – namely Hyampom Road (the subject of the EA). This road will have closures of up to 4 hours at a time with some overnight closures during the construction of the project – the direct effects of which will be most severe to the community of Hyampom.

It is my opinion that the community of Hyampom will be significantly impacted by the construction of the Project (during the construction phase of up to 6 years or more), whereas, the community of Hayfork will see some minor short-term benefits during construction. Following construction, the community of Hyampom will likely have some long-term negative and some long-term positive impacts from the proposed project.

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Regarding Table 2 in the EA:

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Page 3 – Table 2: Community Impacts -  
Short-term impacts should (but do not) include:

Increase in use of USFS forest road 10 and other alternate routes due to Hyampom Road closures may lead to unsafe conditions, increased accidents and additional problems for delivery and emergency vehicles.

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The most feasible alternate route (USFS 10/Butter Creek Road) which will be taken between Hayfork and Hyampom during road closures, is an unimproved forest road which is steep, one lane and not equipped to handle a traffic load which could include up to 20 to 40 passenger cars and light trucks per day, plus delivery and emergency vehicles. This estimate assumes that approximately 15% to 30% of the traffic volume during Project construction (as related on p. 11) will seek an alternate route, rather than driving through at open hours or waiting for the next opening of the road. Current use on this road in the summer is estimated to be two to four cars per day.

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The fact is that the EA makes no mention of alternate routes because there are NO SUITABLE AND/OR SAFE alternate routes. The expectation that drivers traveling between Hayfork and Hyampom would wait in their vehicles for up to four hours or perhaps overnight until the next road opening is unrealistic.

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The exclusion in the EA of alternative routes that will be used by people driving between Hayfork and Hyampom constitutes omission of relevant information, and omission of a potential significant impact.

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It has been stated in public that the local and federal governments are not willing to officially designate an alternative route because of the safety issues due to the poor condition of existing alternate routes. In addition it has been stated in public that the cost and significant environmental impacts that would be required to provide for a safe alternate route are too great. However, the EA is required to present all environmental and social impacts likely to be caused by the project.

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One significant impact caused from Hyampom road closures due to the Project, during the construction period will be a higher than safe volume of traffic on this and perhaps other routes which will be utilized during road closures.

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The preparers of the EA should have looked at the routes that will be used by the public during road closures. They should have presented:

- the current condition of these roads,
- the amount of usage the roads receive currently,
- the expected use of these roads during road closures,
- the safety of these roads at current and expected use volumes,

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• any potential impacts that would be generated by increased volume of use, such as impacts to Northern Spotted Owls or to NSO habitat and impacts to other species of concern or their habitat.

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• whether emergency vehicles will be required to use these roads during emergencies and whether these roads are safe for emergency vehicles, especially at the expected volume of use during road closures.

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Page 3 – Table 2: Community Impacts -

Short-term impacts should (but do not) include: Delay of emergency vehicles in and out of Hyampom, delay of the elderly and others seeking medical treatment, possible inability of residents to leave or return to Hyampom due to overnight road closures (page 59).

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Page 3 – Table 2: Community Impacts -

Short-term impacts should (but do not) include: Potential for major slope failures.

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This project is to take place on slopes of up to 80% (Segment 5). There is a real concern that there will be significant slides, mass wasting, wash outs, finding of underground

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water courses or other incidences which could severely slow down construction, not to mention close the road completely for an extended amount of time (up to days and weeks). The geology and soils need to be further studied, particularly in Segment 5, before the risk/benefit of reconstruction of the road can be adequately assessed. The EA disregards the potential for significant erosion potential.

16

Page 3 – Table 2: Economic Impacts -

Short-term impacts should (but do not) include: Delay or rescheduling of deliveries and pick-ups could result in economic loss to one or more businesses in Hyampom that relies on these services (page 59). Unsuitable access during the summer tourist season and subsequent decrease of tourists and guests will impact several businesses in Hyampom.

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Page 3 – Table 2: Economic Impacts -

Short term impacts should (but do not) include: Loss of property values and inability to sell properties due to the inability of buyers to travel Hyampom road during normal hours and the prospect that potential property buyers may have to live with several years of decreased access to their home and to the services that are not available in Hyampom.

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Page 3 – Table 2: Economic Impacts -

Short-term impacts should (but do not) include: The limitation of property owners to build or improve their property due the difficulty of bringing in supplies, contractors, or professional consultants such as architects.

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Page 3 – Table 2: Economic Impacts -

Short-term impacts should (but do not) include: Impacts to the Hyampom School. Less families moving to Hyampom (or families moving out of Hyampom), due to impacts of road closures on families with school aged children could mean closing the school, which would severely impact the employees of the school, the children and parents who attend the school.

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Page 3 – Table 2: Economic Impacts -

Short-term impacts should (but do not) include: Children and their parents (living in Hyampom) who participate in after school programs at the schools in Hayfork. Driving conditions will be unsafe on the “unofficial alternate route” and long waits will be a burden on children and parents.

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Page 3 – Table 2: Water Quality Impacts -

Short-term impacts – Additional short term impacts should be listed here (from p.101 & p. 111):

Potential for increased sediment to enter Hayfork Creek, its tributaries, and other aquatic features.

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And:

Potential for commercial fertilizer to enter Hayfork Creek, its tributaries, and other

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aquatic features from hydroseeding or other seeding activities.

Page 3 – Table 2: Invasive Weeds Impacts -

Short-term impacts – Additional short term impacts should be listed here:

Increase in non-native, invasive weeds on a significant portion of the 237 acres cleared of trees during construction.

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Long-term impacts - Additional long term impacts should be listed here:

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Increase in non-native, invasive weeds on a significant portion of the 237 acres cleared of trees during construction.

Long term effects should include: as non-native, invasive weeds become established along 9.8 miles of Hyampom Road these weeds will release their seeds that will spread to other areas of Trinity county by being carried by wildlife, by vehicles and watercourses.

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Note 3: Revegetation was my professional work from 1982 to 2000\*. It is certain that when 237 acres of forest is removed, and replaced with “reseeded with native, non-invasive plant species” (p. 166), there will be a non-native, invasive weed problem that begins as a short-term impact and becomes a permanent impact. Page 169 and 170 present the species of noxious weeds found in Trinity county and those found on the project site including: yellow star thistle, velvet grass, Klamathweed, etc. These species are colonizers and are opportunists that easily colonize newly cleared ground. They are also invasive meaning they can also “invade” (and in some cases, replace) established native plant communities.

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Note 4: Commercial fertilizer is specified on p. 102 and elsewhere. However, as a Revegetation Specialist I recommend that commercial fertilizer not be used (or be specified and very low rates and in a low nitrogen ratio) in hydroseed mixes. This is recommended because native grasses and forbs generally germinate and grow fairly well in low nutrient and unfertilized situation, where as invasive, non-native weeds are greatly encouraged by commercial fertilization. Standard amounts of commercial fertilizer would add to the invasive, non-native weed problem that will be caused by this project.

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Page 4 – Table 2: Visual and Aesthetics Impacts -

Short-term impacts are incorrect: The sentence: “Most of the forest vegetation removal will be temporary, since disturbed soil areas will be reseeded” is false.

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The seeding is to be with herbaceous species only according to Jan Smith, Senior Environmental Compliance Specialist of the Trinity County Department of Transportation (personal communication to Will Lapaz April 6, 2006). Furthermore the EA does not give any species list to be seeded, but on p. 178 it says hydroseeding will be with “low-growing plant species”.

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Page 4 – Table 2: Visual and Aesthetics Impacts -

Long-term impacts are incorrect: The sentence: “Replacement vegetation will take several years to mature” is false.

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The replacement vegetation for the 237 acres of mixed coniferous forest habitat is specified as seeds of herbaceous (and low growing) species. There is no replacement of lost trees, which would mitigate for the visual and aesthetic impacts. The seeding is to be with herbaceous species only (same reference as above).

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Therefore the long term impacts would better be stated: Removal of 237 acres of Douglas fir forest and Oregon white oak woodland habitat will be permanent. Replacement vegetation (seeding with native herbaceous species) will not reduce this impact.

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Page 4 – Table 2: Historic and Archaeology Impacts -

If the short-term impacts are “Potential to uncover cultural resources during construction” as stated, then, the Long Term impacts should be: Potential to permanently disturb cultural resources.

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Page 4 – Table 2: WILDLIFE - Threatened and Endangered Species Impacts -

Short term impacts are incorrect: “Some temporary disturbance within NSO habitat due to tree removal”.

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Impacts are permanent because tree removal is permanent according to the document.

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An accurate statement would be: Tree removal of 21 acres of USFW NSO Critical Habitat (p. 126, 4th paragraph) will create permanent NSO habitat impacts.

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Short-term impacts – Additional short term impacts should be listed here (from p.126):

*Effect:* Loss of 6.5 acres of upland and riparian habitat within the Critical Deer Winter Range (of the Hayfork Deer Herd) (p. 126 2nd paragraph).

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*Effect:* Adverse impacts to NSO living in project vicinity. Page 126 clearly states Adverse Impacts to NSO.

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Short-term impacts – Additional short-term impacts should be listed here (from p.101):

*Effect:* Potential disturbance to SONNC Coho Salmon due to sedimentation.

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*Effect:* Potential for sedimentation may reduce invertebrate populations and cover for fry and juvenile salmonids.

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Short-term impacts – Additional short-term impacts should be listed here (from Table 24, p.116-119):

*Effect:* Short term disturbance to habitat of eight Invertebrates, two Fish (salmonids),

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three Amphibians, three Bird species, and eight Mammals that are Federal and/or State Species of Concern, and that are not listed elsewhere in this table. In addition “take” is likely for at least some of the species of Invertebrates (especially Trinity Bristle Snail [p. 129]) found on the project site.

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Note 5: I am reading Table 24 this way: When a species is listed with an: Effect of - “Not likely to adversely affect”, it is indicating that the species is on the project site, and it will be impacted. Due to the limited scope of the project, the preparers of the report feel that these species will be affected but not adversely as a whole population. Certainly the individuals on the site will be affected and fall within the definition of “take”. Table 24 also lists species that could be found in the habitat but were not found during site surveys. All of these species are listed as ‘No effect’ because they were not on the site during surveys.

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Note 6: On p. 122 under Special-Status Plant Species, it says that there are no records of federally or state listed plant species or *federal species of concern* in the Project Vicinity. However, it goes on to say that 3 species were sited in the Action Area – ALL OF WHICH ARE FEDERAL SPECIES OF CONCERN, as well as species that are on the CNPS List 1B or List 4 (as shown in Table 24 p. 116-117). --- The poor writing of the EA makes it difficult to get the facts, and to fully understand the impacts.

89

Note 7: With regards to Invertebrates the statement I made above is correct and is confirmed on p. 122 – 123 under Mollusks. However, this Section is poorly written and contradictory. It states that all 8 sensitive species were surveyed within the Proposed Project Site. Then it goes on to say that 3 of the species were not found on the site.

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Page 4 – Table 2:

Table 2 fails to list impacts to Threatened and Endangered PLANT Species -

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Table 2 should have a section on BIOLOGY that includes WILDLIFE (is included in Table 2) *and* PLANT LIFE (is not included in Table 2).

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Under Plant Life impacts include:

Species of Special Concern: Short term impacts:

Temporary disturbance to seven federal species of special concern and 2 species on CNPS List 1B. (p. 116-117).

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## **COMMENTS AND CONCERNS REGARDING SPECIFIC PORTIONS OF THE ENVIRONMENTAL ASSESSMENT**

ALTERNATIVES: The EA (p 19) mentions four Alternatives including:

Alternative 1 - No Action

Alternative 2 – Reconstruct existing alignment (the proposed Project)

Alternative 3 – Reconstruct Alternate Forest Service Road

Alternative 4 - Reconstruct existing alignment to meet higher design standards

Trinity County and FHWA failed to propose an alternate that is a compromise between No Action and Alternative 2 in which a total of 13.5 miles (of 22.0 miles) (from Table 1, p. 1) are proposed for complete reconstruction. The difficulty that Trinity County and FHWA have had, and are having, with the concerned citizens of Hyampom and Trinity county regarding the proposed Project could have been relieved by proposing an acceptable alternative which reconstructed a smaller amount of roadway. A smaller, less intrusive alternative could have met the stated Project purposes (goals) (p. 2.), reduced environmental impacts, reduced economic and social impacts, reduced the overall budget for the project and been more acceptable to the community of Hyampom, and other concerned citizens.

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#### ENVIRONMENTAL CONSEQUENCES – p. 58

Section 3.2.2.2 (Construction Phase) states: “The Proposed Project is not anticipated to induce any changes in land use patterns or affect any established populations or communities with the Project Vicinity due to remoteness of the area and lack of economic base to support growth. It will not displace housing or businesses, nor alter the general travel route between Hayfork and Hyampom.”

The above does not consider the full impacts to the residents of Hyampom.

Hyampom has a population of 236 residents. Hyampom road provides the only paved, reliable, year round in and out ingress and egress. Hyampom has businesses, which are growing and expanding.

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The Project will or could (during construction phase):

- Adversely effect established populations or communities
- Adversely effect the economic base of the Hyampom community
- Adversely effect housing and businesses
- Adversely alter the travel route between Hayfork and Hyampom.

#### ENVIRONMENTAL CONSEQUENCES – p. 59

Impacts to the people who travel the Hyampom road between Hayfork and Hyampom due to the Project are discussed on p. 59. The EA states “daily and complete road

closures up to four hours in duration” and “There may be some night closures” and “Occasional work may be necessary on Saturdays”. The construction season is “May 1 to October 31”.

A likely scenario for providing access through the construction project is given: “8 a.m., 12 to 1 p.m., 3:30 pm, and 5 pm”. However, when school is not in session the 3:30 opening would be deleted. The EA further states (p. 59), “Other than these daily openings for road access, the road would be completely closed at other times of day, but in general open all night, subject to some night closures” and “night is defined as 30 minutes after sunset until 30 minute before sunrise”.

Therefore, according to the EA, Hyampom road closures and openings could look like the following during the summer months and for six days per week when school is not in session:

Road closes:	5:11 a.m. to 8:00 a.m. – 2 hrs 49 minutes
Road opens	8:00 a.m. for one or two passes of vehicles in each direction
Road closes:	8:15 a.m. to 12:00 noon – 3 hrs 45 minutes
Road opens	12:00 to 1:00 p.m.
Road closes:	1:00 p.m. to 5:00 p.m. – 4 hrs
Road opens:	5:00 p.m. for one or two passes of vehicles in each direction
Road closes:	5:15 p.m. to 9:04 p.m. – 3 hrs 49 minutes
Road is open at night:	9:04 p.m. to 5:11 a.m.

By the stated schedule of the road openings and closures as stated on page 59 and the data presented from the U.S. Naval Observatory, Hyampom road could be closed during the summer for approximately 14 hours per day, from 5:11 a.m. to 9:04 p.m (with only 3 openings during daylight hours totaling 1.5 hours).

Note: Sunrise and sunset data is from:

**U.S. Naval Observatory -- Astronomical Applications Department - Sun Data for One Day**

The following information is provided for Redding, Shasta County, California (longitude W122.4, latitude N40.6):

1 June 2006 -- Pacific Daylight Time

Sunrise 5:41 a.m.

Sunset 8:34 p.m.



This type of road closure – for up to 14 hours per day, for up to six days per week, with some all night closures – for a community with a population of 236 with next to no services CONSTITUTES A SIGNIFICANT ADVERSE IMPACT.

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If there was a good alternative route for the stated 135 or so vehicles traveling the road each day, the impact would be less than significant. However the EA makes no mention of alternative routes. Nor does the EA make mention of whether the alternate routes which are most likely to be used will see a significant increase in traffic. Nor does the EA tell us anything about the alternative routes that will likely be used during road closures.

The EA should report on:

- How many vehicles are expected to travel alternate routes?
- Which routes are they most likely to travel?
- Are these routes in good repair or not?
- Will these routes safely accommodate the increase in travel?
- What are the environmental and social impacts of using these alternate routes?
- Are these routes running through NSO habitat, or other habitat of species of concern?

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It appears that the preparers and the Lead Agency for the Project intentionally omitted relevant information in disregard for NEPA law.

The impact of up to 140 vehicles taking an alternate route in one day needs to be clearly documented before this project can go forward from here. (While it is not likely that 140 vehicles would take an alternated route in one day, if the road were closed for an extended period, for any reason, such as an accident, an archeological find, a slide, or other unforeseen event, it could happen.) On a “normal” day in the summer it is more likely that 30 to 40 vehicles will be traveling the easiest alternate route.

Section 3.3.2 (Social and Economic Impacts p. 68-70):

Roadway closures for up to 14 hours a day, six days a week, for four to six years, plus some overnight closures are a significant adverse impact on the small community of Hyampom that has only one year round access road.

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This significant adverse impact is due to the road closure schedule which does not allow for deliveries or pick ups by UPS, FedEx, utility providers, building suppliers, nor the ability of the elderly and others to reach medical appointments. In addition, due to the

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remoteness of the community and the severe summer fire danger the possibility that emergency vehicles will not be able to reach Hyampom quickly constitutes an adverse impact. Even a short delay in response time can turn a small wildland fire into a catastrophic fire.

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The questionable safeness of the alternate routes that will be used has not been addressed.

If an alternative route was established the significance would be reduced. However, without even stating whether an official or unofficial alternate route exists, the EA is lacking in information to adequately judge whether the road closure during the construction phase constitutes a significant impact to the community of Hyampom.

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The closure of the road for “some overnight closures” is a troublesome statement, in that it could mean from 1 night per month to several night per month to seven nights in a row during a month. The EA should state some guidelines such as no more than 1 night per month.

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A statement on page 69 reads “Effects of road construction on businesses and tourism will be minimal”. There are few businesses and employers in Hyampom but the effects may be very large to the few that are there.

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Another statement on page 69 reads “Postal service and other delivery service delays may be expected during roadway construction”. This statement reinforces that there will be adverse impacts to businesses in Hyampom.

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Increased Funds to Local Economy (Page 70):

The EA states that the Project will have a positive impact, “...bring additional revenue to local businesses in Hyampom and Hayfork”.

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This is false. The additional revenue will come only to Hayfork. Hyampom will see a decrease in revenue.

The EA also talks about jobs that would be created by the Project. In three places on p. 70, it is stated that the construction period is six years, “...that would occur over the 6-year construction period...”

The EA seems to be saying that beneficial effects will occur for a 6-year construction period where as negative and adverse effects will occur for the “4 to 6 year construction period”.

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The EA appears to be adjusting data in favor of positive effects in order to “sell” the Project to Trinity County, while down playing negative effects.

Section 3.4.4 (Mitigation Measures p. 72 - 73):

The mitigation measures for Social and Economic Conditions talk about public information and emergency services. Yet, the mitigation measures completely fail to

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address the issue of how long emergency vehicles may be delayed.

The EA fails to address:

- How emergency vehicles will reach Hyampom if the road can not be cleared quickly such as during blasting?
- What the affect would be if fire-fighting equipment is delayed for .5 or one hour?
- Whether emergency vehicles will take alternative routes to reach Hyampom.
- Whether alternative routes are safe for emergency vehicles if an increase in local traffic is using the same alternate route.

The EA also fails to provide any chapter, section or even mention of Circulation.

Typically in a document where the Project is reconstruction of a roadway that will cause significant delays in traffic, there is a section devoted entirely to circulation routes and how the project will impact circulation.

Typically in a document where the Project is reconstruction of a roadway that will cause significant delays in traffic, there is a section that is devoted to the impacts of increased circulation on all routes that will be impacted and not just the one route where construction is taking place.

It is unusual for an experienced team of engineers to prepare a report, which leaves out Circulation, use of alternative routes, impacts associated with a change in circulation patterns. Especially when the Lead Agency is the Federal Highway Administration.

This lack of information and apparent omission of relevant information, and omission of known impacts is ground to say that the EA is inadequate and that an EIS is required.

## **COMMENTS AND CONCERNS REGARDING ADDITIONAL OMISSIONS IN THE ENVIRONMENTAL ASSESSMENT**

It also appears that the following pertinent details are lacking in the EA:

- Amount of land area that will be permanently lost due to project construction such as nail walls, bridge abutments, and a larger roadway than currently exists.
- The vertical measurement of cut slopes in areas such as Segment 5 that have steep slopes of 80 degrees or more.
- Whether cut slopes will be terraced in places to allow for the planting of woody

vegetation including trees which would help to hide the bare slope after time.

- There seems to be little or no mention of geology, or soils. It appears that the roadway is on highly erosive soils, and unstable slopes.

Yet mention of this is not made.

- Dirorite soils once disturbed are extremely difficult to manage. These problematic soils exist within the Project area and are nowhere mentioned in the EA.

- Due to the nature of the soils, slopes and geology, an evaluation should be done, including analyzing whether a new reconstructed road will be stable if it is widened and cut back above the road and filled below the road. Segment 5 should particularly be examined. An analysis of the likelihood for slides, failures, mass wasting, etc. should be examined. The steepness of the cut slope, the fill slope and the vertical distance of cut and fill slopes in this area should be stated.

In addition, the FHWA has failed to notify, invite to interagency meetings, and ask for comments/input from the Hoopa Valley Tribe (a federally-recognized Indian tribe with fully adjudicated fishing rights within the Klamath and Trinity rivers).

If the EA has failed to address these issues an EIS should be prepared that will address them.

## COMMENTS AND CONCERNS REGARDING OTHER ISSUES OF THE ENVIRONMENTAL ASSESSMENT

### Regarding Clearing and Grubbing (page 174):

It is stated that “clearing operations will likely occur during the winter between November and February”.

However, on page 191 under Environmental Commitment, it clearly states that tree removal shall occur during the non-nesting season for special status species and February is part of the nesting season.

Regarding Mature Forest Habitat:

The EA fails to mention whether the 237 acres of Douglas Fir Forest (208 acres) and Oregon White Oak Woodland (29 acres) (p.125) are of mature forest habitat or not. Pages 120 and 121 characterize these two habitat types, and on page 210 there is a discussion of mature forest habitat. Here it states that “there are two types of mature forest habitat in the Project Vicinity”. It does not state how much of the 237 acres to be removed by the

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Project are in fact mature forest habitat. This is pertinent information, because on page 126 the EA states “Mature forest habitat represents one of the most valuable upland habitats in the Project Vicinity”.

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### **Regarding Loss of Wetlands and Mitigation of Loss of Wetlands:**

Page 100 presents data on Permanent Loss of Jurisdictional Waters. Table 22 (p. 100) presents acreage figures for the lost wetlands and other waters of the U.S.

It appears that the loss of .26 acres of other waters of the U.S. (Hayfork Creek) in Segment 3 (p. 100, in text form) is not included in Table 22. This error would bring the total acreage lost to 1.00 acres.

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The Conceptual Mitigation and Monitoring Plan for Jurisdictional Wetlands and Waters of the U.S. (WMMP), dated November 2, 2004, prepared by North State Resources for FWA has also been reviewed. On page 9, Table 4 is presented showing no loss to wetlands or other waters in Segment 5, other than .019 acres of seep.

Neither of these documents present a figure or map showing the location of lost wetlands and other waters, which is typically required in such documents.

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However, it is proposed that mitigation for lost wetlands and other waters occur at a ration of 1.5 : 1. What is not clearly explained is that the mitigation area includes a perennial creek (a water of the U.S.) and that this water of the U.S. will be permanently lost as a result of the mitigation that is proposed. It is stated in Figure 4 of the WMMP that there is .022 (322 feet length) of perennial creek in the mitigation area.

This CMMP, and the EA are suggesting that the existing perennial creek and adjacent White Alder Riparian habitat and other stream side habitat in the mitigation area will be filled (and recreated) but not mitigated for. Figure 5 of the WMMP clearly shows the existing grade of the ravine, the fill to be placed in the ravine, and the perennial creek and vegetation to be established on the fill. It does not show or label the existing creek that is to be filled.

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The plan does not seem to mention that a perennial creek needs to be recreated on top of fill, and how this will be done. It fails to mention how subsurface water flow will be kept from occurring in this area which could undermine the road base. It fails to mention that the grade of the existing perennial creek will need to be raised and it does not tell the reader how many vertical feet above the existing grade the new creek grade will be. Nor does it mention how to discharge of the water in this perennial creek after it passes under the reconstructed Hyampom Road.

The mitigation of wetlands and other waters of the U.S. needs to be further elaborated and discussed. I have serious concerns as to whether the mitigation of wetlands and other waters is appropriate as planned, especially given the lack of information as detailed above and the omission of relevant information.

### **Regarding Tree Removal and Revegetation:**

The EA gives no species list to be seeded or planted on the 237 acres of forest that is to be removed. In several sections it says that cleared areas will be reseeded with native, non-invasive species. I find only one reference in the EA that further elaborates. On p. 178 Section 3.14.2.4, it states "...and hydroseed all disturbed areas with best-suited low-growing plant species". "Low-growing" by definition cannot mean trees. In addition, I will state here that there is no revegetation proposed on the 237 acres of forest to be removed due to construction. The term revegetation refers to the re-introduction or retention of suitable soil and hydrological conditions and planting propagules of the same species that were "removed". In other words you cannot remove forest tree species, remove the topsoil and revegetate it grasses and forbs. You can only revegetate a forest with the same forest species that were removed. The EA is calling for the removal of forest habitat and then hydroseeding the resulting graded, bare slopes (primarily steep cut and fill slopes) with native grasses and forbs (such as some native grass and some non-native species of the Lotus genus; which are called out for Segment 3 in the EIR for Segment 3 prepared by Trinity county).

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## SUMMARY

There are significant adverse impacts to (at the minimum) the social and economic environment that would be caused by the Project. If the project proponents want to go forward with this Project an EIS is required.

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There are significant omission of relevant information in the EA. Omissions include, but may not be limited to, failure to mention and analyze traffic circulation patterns, the effects of road closures on alternate routes that will be utilized during road closures, the safety of alternate routes, effects to biological resources, loss of wetlands and other waters of the U.S., and the effect of road closures on emergency vehicles especially wildland fire fighting equipment. If the project proponents want to go forward with this Project an EIS is required.

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There are misleading and inadequate analysis of the impacts to wildlife, biology (plant species), and the Social and Economic environment. If the project proponents want to go forward with this Project an EIS is required.

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There is a lack of understanding by the authors of the EA in regards to invasive weeds and revegetation. If the project proponents want to go forward with this Project they should hire a biological consultant with experience in revegetation and invasive species to write these sections of the reports.

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It is the author's opinion that the Project is larger than what is necessary. The scope of the project can be reduced which would reduce the impacts, be less costly, take less time to complete, and be acceptable to the people in Hyampom who are concerned with the overly large scope of the project.

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This letter was prepared by Will Lapaz, BA, (Environmental Studies and Planning)  
Revegetation/Mitigation Specialist\*

Contact information: [will@edenbotanicals.com](mailto:will@edenbotanicals.com), (530) 628-5614

\*Previously employed with Biological and Revegetation Consulting and Contracting firms (listed below) in California from 1982 to 2000 (total of 12 years, as consulting and contracting work was not exclusive for all years). Wrote or was project manager for the preparation of more than 50 Revegetation plans, Mitigation plans, Monitoring plans, and Contract Specifications for disturbed habitats. Supervised construction crews for more than 30 Revegetation installation and maintenance projects. Projects ranged from salt marsh and sand dune revegetation at sea level to mixed coniferous forest and sub alpine meadow revegetation at 8,000-foot elevation in the Sierra Nevada range. Primary specialty is riparian revegetation and harsh site revegetation in mixed chaparral, and mixed evergreen forest habitat types.

Previous employment as a Revegetation/Mitigation Specialist and Project Manager with the following consulting and contracting firms:

Harvey and Stanley Associates, Inc – Wildlife/Fisheries Biology, Botany, Wetlands Delineations and Mitigation, Revegetation Consulting.

The Habitat Restoration Group - Wildlife/Fisheries Biology, Botany, Wetlands Delineations and Mitigation, Revegetation Consulting and Contracting.

Greening Associates - Revegetation Consulting and Contracting.

Circuit Rider Productions, Inc.- Contract growers of native plants for revegetation, Revegetation Consulting and Contracting.

Prunuske Chatham, Inc. – Land Use Planning, Hydrology, Forestry, Revegetation Consulting and Contracting.

William J. Lapaz – Self Employed Revegetation/Mitigation Specialist

Clients included: PG&E, Unocal, Army Corps of Engineers, Santa Clara Valley Water District, Carmel Valley Water District, Marin County RCD, Sacramento Municipal Utility District, Marin County Water District, City of Santa Cruz, County of Santa Cruz, Moss Landing Harbor District, Kaiser Sand and Gravel, Lone Star Mine, Marina Sand Plant, Granite Construction, Granite Rock, Watsonville Municipal Airport, and numerous other public agencies and municipalities, as well as private developers and land owners.

- End of Letter -

**Popiel, Stephanie**

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**From:** Eden Botanicals [info@edenbotanicals.com]  
**Sent:** Wednesday, April 12, 2006 6:50 PM  
**To:** Popiel, Stephanie  
**Subject:** Re: Hyampom Road Question

Dear Stephanie,

Thank you again for coming to Trinity county to share information on the Hyampom Road Project.

I understand that comments to you are due on April 19. Can these comment come by email? Or do they need to be by post. Also, how does the cut off time work? If comments are sent by post do they have to arrive at your office by the 19th or do they need to be postmarked by the 19th? Thank you for clarifying this process.

Also, if I have questions on the EA, shall I email to you or is there someone else who I should correspond with. I have gone over most of the EA and will have several comments, but I am also developing a list of questions.

Thank you again and best regards,

*Will Lapaz, Owner  
Eden Botanicals  
22567 Hyampom Rd.  
Hyampom, CA 96046 USA*

*Phone: 1-530-628-5612  
Toll-Free: 1-888-568-9919  
Fax: 1-530-628-5608  
www.edenbotanicals.com*

4/25/2006



## Popiel, Stephanie

---

**From:** Popiel, Stephanie  
**Sent:** Thursday, April 13, 2006 8:50 AM  
**To:** 'Eden Botanicals'  
**Subject:** RE: Hyampom Road Question

Dear Will,

Thank you for your comments at the public meetings, and I look forward to your detailed comments on the EA. All comments should be sent to me. Comments by e-mail are fine. Postmarks on the 19th are fine. We give a couple days of leeway on the closing date for comments, we just want to make sure that people realize that we do need to move forward with the process, and give them a due date so that comments don't string out forever.

Stephanie L. Popiel, P.E.  
Environmental Compliance Engineer  
Federal Highway Administration  
Central Federal Lands Highway Division  
12300 West Dakota Avenue, Suite 280  
Lakewood, CO 80228  
Phone: (720) 963-3690  
Fax: (720) 963-3610  
Stephanie.Popiel@fhwa.dot.gov  
www.cflhd.gov

-----Original Message-----

**From:** Eden Botanicals [mailto:info@edenbotanicals.com]  
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**Subject:** Re: Hyampom Road Question

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Thank you again and best regards,

*Will Lapaz, Owner  
Eden Botanicals  
22567 Hyampom Rd.  
Hyampom, CA 96046 USA*

4/25/2006

*Phone: 1-530-628-5612*  
*Toll-Free: 1-888-568-9919*  
*Fax: 1-530-628-5608*  
*www.edenbotanicals.com*

April 4, 2006

To: Ms. Stephanie Popiel  
Staff Environmental Engineer  
ATTN: HFHD-16 (CA FH 114)  
HFWA  
12300 West Dakota Ave. Suite 280  
Lakewood, CO 80228

From: William J. Lapaz  
22567 Hyampom Road  
Hyampom CA 96406

Re: Hyampom Road Project

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As a resident of Hyampom, a business owner, and as a professional in the environmental field – namely a revegetation specialist (with 12 years experience in revegetation/restoration consulting and contracting) I wish to voice my opposition to the Hyampom Road project as it is now conceived.

I will have to read the environmental reports and other documents to understand the project better and I will write a separate letter to discuss these issues. In this letter allow me to simply state my concerns from each of the above mentioned perspectives:

**1) As a Resident of Hyampom** – I have no personal problems with the existing Hyampom road as it is. However, I also do not have any opposition to fixing dangerous, failing or other portions of the road in need of maintenance.

I find it wasteful and very disruptive to my life to proceed with the project as planned, and a burden on the restrictive nature of road usage during the construction period. I would like to see a thoroughly documented reason to proceed with the project.

On the notice that I received in the mail to announce the HYAMPOM ROAD PUBLIC MEETINGS APRIL 5 AND 6, 2006, I read that “The project is to develop two (2) full lanes to improve safety for current and future traffic and ensure mobility for residents, postal service, emergency service and school access”.

Two goals: Safety and Mobility.

For the first stated goal of safety, I want to see the documented records that the road is not safe (accident reports, death tolls, etc) and I want to these compared to other roads in the county that are ‘improved’ such as highway 3 and highway 99. I am not convinced that the project will increase safety on the Hyampom Road. And if this is the main goal I think that the county and the federal governments had better show detailed statistics to back up the claim that the road will be safer following construction.

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For the second stated goal of mobility, I want it shown that mobility is impeded now and that the project will correct mobility. I fail to see how a multi year project will enhance mobility. In fact this project will definitely impede mobility for the life of the project. And further maintenance and slide issues which are likely to follow said project will likely impede mobility into the foreseeable future. Again, I would like to see statistics to back up the claim that the project will ensure mobility.

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If the purpose of construction is for other reasons, I would like to see these reasons clearly defined and documented.

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Because I live next to the County Road Department's yard, I am very concerned about the noise and traffic that will be generated by the large scale project that is planned. I would like to see a detailed plan of the use of this yard throughout the life of the project.

102

**2) As a Business owner** – I am a business owner in Hyampom which employs 6 Hyampom residents. I do not find the current state of the road a burden to my business. I am however very concerned with road restriction during construction. Will the UPS truck be able to deliver and pickup package to our location everyday during construction, even if the driver can not follow the projects exact time schedule? Yes, my business has a daily pick up account with UPS, and they come every day. I ship out several hundred shipment a month and rely on timely deliveries and pick ups.

64

Will FedEx vans and trucks have the same freedom? As you likely know, FedEx has three divisions: ground, air and freight. Each division has separate trucks and separate schedules. We rely on all three divisions for timely deliveries, however the air division is primary to my business due to deliveries that I receive frequently from overseas.

64

How will I be able to have access to my banking needs, my supply needs, if I have to live with a restrictive schedule for going to town for supplies and to do banking needs? I have to personally sign papers at the bank on a frequent basis and go to town for supplies as needed, and I am not necessarily able to exactly plan these trips.

57

As a business owner I am also concerned about the noise that will be generated by the County Road Department's yard that is across the street from my business. I will need to see a detailed plan of the projected use of this facility. If the impact is too great I may consider to move the business to another county. I do not wish to subject myself to years of ongoing noise.

102

**3. As a Revegetation Specialist** – As a professional consultant and contractor I am very concerned at the scope of the project. How many acres of road cuts are you proposing? Where will additional cut material be disposed of. Do you have a revegetation plan? Will you be using all native species, with the propagules collected within the local area? What type of herbaceous plants are planned to be installed by seed and by what method? Do you have a source for native grasses and other herbaceous plant which primarily hold the soil in place? How will you enhance the subsoil or bedrock to accept plant growth?

116

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Is there an erosion control plan? What will happen with the additional runoff generated? How will the sediment be kept out of the smaller creeks as well as Hayfork creek?

I have worked to restore many areas of scarred land, like would be created from the project as it is currently planned. I know first hand as an installation and maintenance contractor, as a planner, and as contract specification writer. I also know the failer rate for ill – conceived and poorly implemented projects. I also understand the timeframe required to successfully implement revegetation projects. – Plan approval 2 years prior to construction. Nursery contracted awarded 1 ½ years prior to construction. Propagule collection 1 year prior to construction. Construction documents completed prior to construction and contract awarded during the first summer of construction.

I will want to review in detail all aspects of any revegetation and erosion control plans, documents, specifications to provide input and suggestions.

In summary, I find the project senseless. Trinity county needs jobs, and money but it does not need a make work project that will degrade the environment and the quality of life of its citizens. I would like to see these same funds used on a project that enhances the environment, forests and fisheries. In closing, if the Hyampom Road project intends to repair dangerous, failing and sections of the road that are requiring maintenance I will support it. If its long range goal is to create a 2 lane road that can be traveled at a higher speed from Hayfork to Hyampom, create large road cuts, create disturbances to the creeks, the soil, the forest and to the residents if Hyampom that have no choice but to travel the road and live with years of construction, then I am against it.

Thank you for your consideration,



William J. Lapaz  
22567 Hyampom Road  
PO Box 218  
Hyampom, CA 96046

## Popiel, Stephanie

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**From:** Lindy McCaslin [lmccaslin@fs.fed.us]  
**Sent:** Tuesday, April 18, 2006 5:35 AM  
**To:** Popiel, Stephanie  
**Subject:** Pat McCaslin's notes that he took to the Hyampom meeting



2hy\_rd\_040406.doc  
c

These are Pat McCaslin's notes that he took to the Hyampom meeting. You requested a copy. I cleaned them up a bit but they are still rather casual and in list format. There are comments as well as questions. Some were addressed at the meeting while others were not. Please include the entire document in your records. We hope to get a letter off to you by tomorrow.

(See attached file: 2hy\_rd\_040406.doc)

Thanks, Lindy

Pat and Lindy McCaslin  
Butter Creek Streamkeepers  
POB 178  
Deep Gulch Rd  
Hyampom, CA 96046  
patnlindy@starband.net

It just still boggles my mind how so much money could be spent on so few people in these hard budget times. I think this has come up in nearly every discussion I've heard. I imagine costs are rising steadily due to fuel prices and the passage of time. Can't the project be smaller and just address certain areas?

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Why is this an EA while the County did an EIR?

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What kind of vegetation will be planted after construction? It should be native plants correct, except maybe some sterile cereal grains on highly erodable places. Native grass seed has very little root mass or watershed restoration potential. Are you collecting native seed yet?

- I believe the EA said mentioned only grasses or small forbes of some sort. This is not what we have on the road now. I would like to see some trees, bushes, forbs, ferns, mosses = a large percent of current vegetation. Please make sure there's plenty of "scenic" species like maples and dogwoods where we get some fall color from. Please don't turn this complex ecosystem into a monoculture similar to a tree plantation.
- There will be more sun in on the logged areas. Sun tolerant species will thrive better than they do now. A larger percentage of red buds and other flowering plants would be a very good thing.
- This funding is for a "forest road" that is basically a dead-end / goes nowhere. Why can't we keep its forest character, by that I mean some big trees and shade?

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Where are the asphalt/cement/ and rock batch plants (how many) and other spoils areas going to be? These will have a large impact so:

- Isn't that old mine west of nine mile bridge a site? Isn't that road very steep and narrow? Won't it have to be rebuilt in order to pass that huge equipment and large dump trucks?
- I don't understand why these areas are not documented in the EA. If they end up on the National Forest, then does the FS have to do another EA?
- No matter where these area are located how will these areas be mitigated during and after construction? How about during the winters between constructions since asphalt is a HAZMAT.

118

What about maintenance on the forest service roads that many of us will have to use for a detour? The increased traffic will require more maintenance, perhaps chip sealing and/or water trucks.

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Why doesn't the project go all the way down to Hyampom now? It seems even shorter of Hyampom than before. It seems pretty strange to end the new pavement outside of town (or just at the level of the old rumored dam ). If the entire project is completed, this new pavement should go all the way to town or at the very least, the Hayfork Creek bridge.

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Will more heavy riprap be in the Hayfork Creek flood plain? Can riparian trees be planted in there, possibly in large vertical culverts?

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How were the 100 year culverts sized (what method or formula). What were the results of the geology testing and what does this information tell you. These drilling sites are destabilized and the locations of many a filled inboard ditch or large boulder(s) on the road during inclement weather!

97

- In other words we are having more road maintenance needed because of the project testing. Can Trinity County get some funding to help with road maintenance? Anything would help!
- I was curious about one location particular. It's on one of the big switchback turn on a perennial creek. I wondered why a geology test was done there right under that gorgeous maple hanging to the edge of the rock. I assumed this area would not have to be cut, blown or razed since the proposed roadbed was much farther downstream to widen that tight turn.

16

- I believe the vegetation regeneration is highly overrated in your document. It is not going to come back soon in these harsh, steep unstable sites.
- On the design, the turns don't look that different from most of the original turns. I thought the point was to increase vision (safety) and design speed. Is an increase of design speed not included in the project anymore? Then specifications can be changed further)
- What is a reinforced, stabilized slope? This and the one below are sometimes together.
- What holds rock buttresses together (on cutbank or "hillslope above the road)? Dinner Gulch has mucho rock buttresses. This is one of the most used pullouts with creek access. Please do not obliterate access to Dinner Gulch (~.1 miles before and/or after) or other creek accesses.
- What is a soil nail wall (to reduce cuts)?
- Is the 6.6 meter travelway w/.3meter shoulder (.9ft) just past mud slide narrower than the "regular" specs.
- 1.2meter paved ditch =3.9feet. Is some space left between the bottom of the cutbank and the paved ditch or down any sloughing material (soil, rocks, etc) meant to enter the ditch. If it does enter the ditch, how is it removed?
- Will the older (ERFO project ~mid-80s) distorted and bulging steel bin wall be replaced? If not, why not?
- It looks like the new culverts will be installed way above and below the fill. How long are the longest culverts? They look very long w/extensions down the slope. Does that whole area need to be cleared of all vegetation? How much of an area?
- What about the traditional pullouts at the perennial creeks? These are so important to the community, workers, tourists = many people. It's a cultural thing. Why do you think they call it Dinner Gulch for? People have been stopping there since as long as

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I've been here (35 years) and I'm certain they were doing way before that on a wagon track and on a horse trail. Just because a site has not been surveyed or catalogued as an archeological site doesn't necessarily mean that location does not exist.

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- We have been told that most pullouts will remain (except these perennial stream crossings?). Is that because this is where you must store all your fill spoils? I say please take it somewhere else and let us drive to these creeks as we always have.

44 117

- I'm confused. In the floodplain encroachment evaluation it says any increase to roadway elevation will cause embankments to encroach further into the flood plain, then goes on to say in order to raise the roadway surface above the 100-year flood level, fill must be placed in the existing flood plain (says it's minor = no more than .3meter (.5feet) increase in the base flood and will be dissipated here and there. Then it says all completed project segments will be out of the flood plain. = If the additions to embankments is further encroaching into the floodplain how can that segment be out of the floodplain? Why aren't we building totally out of the floodplain?
- (This may just concern the county portion and if so why is it in this document?) What is ordinary high water? Abutments of the new Little Cr. Bridge and other tributary bridge and pipe replacements will have no permanent effect because they are out of ordinary high water. Where is the new Little Creek crossing located? It looks like it's right on the Hayfork Cr. Bridge (existing channel is downstream of Hayfork bridge).
- So because the wetlands are mitigated their destruction is not an adverse effect. How do you mimic Mother Nature to build seasonal wet meadows, fresh emergent wetlands, seeps or riparian wetlands?
- Dry weather season – May1-Oct31. but if adverse weather in May, no work will occur if the ground is saturated, correct? I didn't see that mentioned.
- It says disturbed areas will be maintained until disturbed surfaces are successfully revegetated. What if this takes many years? Does this include the batch plants, rock crushing, spoils/fill storage sites also?
- Forest service to maintain mitigation sites after project.- how is this funded?
- Is noxious weed prevention included in this project? There will be a lot of disturbed area open to infestation.
- What about wildlife? It has to be a very significant effect when they've been using trails over this very steep ground in the few areas that they can get through that vicinity then a large huge, giant part of this is cut out and removed and there's just a big drop off there, just pure air. Are there any wildlife mitigations such as trails for deer, bear, mountain lions, etc.? I thought there was at least one spotted owl on this road. Will there be a limited operating period in this area. Are there others?

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Pat and Lindy McCaslin  
Butter Creek Streamkeepers  
POB 178  
Hyampom, CA 96046  
April 19, 2006

Stephanie L. Popiel, P.E.  
Environmental Compliance Engineer  
FHA CFLHD Federal Highway Administration  
Central Federal Lands Highway Division  
12300 West Dakota Avenue, Suite 280  
Lakewood, CO 80228

Re: Comments to CA Forest HWY 114, Hyampom Road EA  
State Route 3 (Hayfork) to Hyampom (NOT to Hyampom but to MP [milepost] #  
whatever), Trinity County, CA

To Whom it May Concern Because It Concerns Us Greatly,

No disrespect intended to anyone but we believe your EA document to be simplistic, offensive and discriminatory. We really do appreciate and acknowledge all the work everyone has put into this project to date. We have too many concerns and comments to raise in this letter today! The thought of this project as it stands is heartrending to us. Please excuse any misunderstandings or inaccuracies below as few people have the time or familiarity to review and research such a grand project in the setting of the complex NEPA process.

- Simplistic because the document say there are no significant adverse impacts. In fact, the lack of project effects (“no effect”) in this document is miraculous!
- Offensive because it is simplistic, contradicts itself numerous times and so many issues are not addressed
- Discriminatory because our rural, country culture is totally disregarded

Is this a draft EA because we certainly haven’t seen one before? We were assured we would be involved in the entire process and allowed to make comments throughout. Why are the Trinity County Road segments covered by an EIR and the FHA CFLHD covered by an EA? It is obvious to us by the magnitude of this endeavor that the entire project should have been addressed with an EIS. In lieu of this we feel that the FHA CFLHD Hyampom Road project should be covered with an EIS.

We believe that all comments were not addressed or that those comments not mentioned were thought to be unimportant and irrelevant by you and/or the “powers that be”. Weren’t notes taken by your agency at the public meetings? We never received any meeting minutes or records of such. We believe that three sparsely spaced one-page “newsletters” in three years to be inadequate. We would certainly have appreciated some more detailed maps to help us understand. In addition some Hyampomians have no

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internet access or electric power for that matter so have only mail access and glean less information than we can.

### Outrageous

- It is ludicrous to say there are no significant environmental impacts when this project, much of it on inherently unstable ground, will move countless tons of material; soil, rock, duff and organic matter, vegetation of all sorts including approximately 250 logging acres, and place it elsewhere. We saw major failures after HWY 36 was upgraded and this road to higher specifications than the Hyampom “forest road” specifications. (34)
- It is also absurd to say that six or perhaps eight years of construction will have temporary or short-term impacts (therefore minor or “no effect”) while the operational phase, ten years or long-term impacts, will be beneficial (or “no effect”). How can your short-term and long-term be so close in years? The EA states future projects that are foreseeable and “reasonably forecast” in the long-term (ten years) are only those already funded or proposed to date. This seems very minimized, shortsighted and VERY short-term to us. (46)
- It is absolutely false that more drivers will not use the road if it is improved. (38)
- It is ridiculous to say that an open, wide vista or view on the road is better (by far) than a more intimate, partially closed-in (with large trees and some shade), lovely and even relaxing scenery type drive. This totally negates a rural, country culture developed since this road was a horse trail. Beside, there are plenty of open views on our road already. Timber has been removed from the Hyampom road many times for various purposes one of which was “open vistas”. (109)

### Common Sense or we just don't get it

- Almost everyone commented about the absurdity of spending so much money on so few people during these hard budget times. The rising construction costs do not include NEPA costs. How much are these to date? (22)
- Why aren't the logging and asphalt (a HAZMAT) batch, rock crushing plants and/or spoils storage areas/locations addressed? We consider these to be major impacts. As we learned at the last Hyampom meeting, apparently the asphalt and rock plants, etc. will be addressed by the contractor and due to high federal standards we don't have to be concerned. (23)
- In addition logging of extremely steep and unstable FS ground has not been attempted in the recent past. This subject must be addressed. Is the timber being removed only where large slopes must be cut out or in other areas also? Will the timber help to fund the project? Will large trees be removed from Riparian Reserves? If so what are the mitigations? (118)
- What about the removed asphalt, still a hazmat? What about the old cars and who knows what buried in the existing road? What's to happen to all this material? (120)
- How many locals will be hired from the small and insignificant amount of new jobs mentioned? (119)
- Will hardwood be made available to locals, especially Hyampomians since they won't benefit significantly from the contract workers, federal inspectors etc. buying groceries, meals, B&B stays, etc. compared to Hayfork and even Weaverville? (69)
- (68)

Please

- What about Dinner Gulch and other perennial stream traditional pullouts/picnic stops/drinking and swimming water sources? Please do not keep us from these areas. We need to be able to park by these creeks. Historically Hyampomians and others have been stopping at these locations since this road was a horse trail and wagon track. What do you think they call it Dinner Gulch for? Why not add some stream signs to your project budget? Why not some historical interpretive signs as well? (106)
- Please do not change the character and spirit of our road into a “nuked, desert-type” highway with little or no vegetation within the federal easement similar to the Ruth Lake Road. This is a forest road so keep more of the forest, all ages of trees. Please do not unnecessarily destabilize vast areas of already unstable ground that will take generations to heal and revegetate. Please do not build on fill. (34)(108)
- Please consider reconstructing only the priority portions of the road such as one lane, one-laner blind turns and undersized, deteriorating pipes (most of them!). (20)

Solutions

A realistic solution is compromise where the worse and priority portions of the road are addressed. This may involve resegmenting the current portions in your final EIS document. We would like to remain involved. Can we go on a field trip to discuss some particulars on the ground if the winter ever ends? Thank you for your time and attention to this very important Hyampom road project. (20)

Sincerely,

/s/ Pat and Lindy McCaslin

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04/17/2006  
Ms. Stephanie Popiel  
Staff Environmental Engineer  
FHWA  
12300 West Dakota Ave., Suite 280  
Lakewood, Co 80228  
Attn: HFHD -16 (CA FH 114)

Dear Stephanie,

Thank you for the opportunity to comment on the Hyampom Road Project Environment Assessment.

The EA references the Scoping Report dated, July 2001, and the impression is given that there was and is widespread public support for reconstructing the Hyampom Rd. However, most of the letters in the Scoping Report only call for repairing the road. Only the letter from the Hyampom Community Services District, dated February 11, 2001, expresses support for road "reconstruction." Clearly these letters were solicited from folks who were expected to support the project.

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The HCSD letter also leaves the reader with the impression that the HCSD was speaking for an informed Hyampom community. This was false. The HCSD made no effort to inform the community of the proposed project nor did they make any attempt to solicit community opinion or to seek consensus within the Hyampom community with regard to improving the Hyampom Road. While their action and conduct may have been legal, it should be obvious by now that the impression given in the letter that they were speaking for a unified informed local citizenry was false. In addition, because the opinions in the Scoping Report were obviously "cherry-picked," it too is suspect and to be included in the EA as supporting documentation makes the EA suspect.

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At no time has there been any attempt by any Government official, body or agency at any level to seek consensus from residents with regard to what sort of actions they would like to see with regard to the Hyampom Road. At every public meeting/hearing in Hyampom individuals who have expressed concern or opposition to the project have been treated with scorn, disrespect and outright intimidation by those who support the project including local and federal government officials. Any impression in the EA that there has been an effort made to establish consensus is false and makes the EA suspect.

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The EA fails to acknowledge the dependency of various businesses in Hyampom upon reliable package delivery service other than the USPS. Local UPS and FEDEX drivers have not been contacted and it is not clear if their companies have been contacted regarding the impact the project will have on their ability to provide reliable delivery service into and out of Hyampom. The failure of the EA to address this issue makes it suspect.

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The notices that went out to the public regarding the recent meetings in Hyampom and Hayfork referred to the meetings as "public meetings." Yet when the meeting in Hyampom was called to order we were told it was a "public hearing" and that there was a court recorder present. In addition, it was announced that individuals could give testimony in "private" to the court recorder. It seems that it should have been announced

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in advanced that the meetings were in fact “public hearings” and failure to do so is another example of the deceptive and intimidating tactics being employed by government officials to promote this project. The failure of the EA to address government intimidation of local citizens makes the EA suspect.

The EA fails to properly address the impact of the likely road closures on the citizens of Hyampom. There has not been any methodical attempt to identify how, when and why the residents of Hyampom use the road. Nor has there been any attempt to identify how residents will be impacted by the significant road closures that are projected during the reconstruction project. Instead of methodically analyzing this issue the EA addresses it by comparing Hyampom to other communities. However, the EA fails to identify these communities nor does it state whether these “other” communities had alternative routes, which Hyampom does not. The failure of the EA to address this issue makes it suspect.

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The EA acknowledges that there will be lengthy road delays along the Hyampom Road during construction. These delays are described as being up to eight hours, broken into two, four-hour delays as well as overnight road closures and road closures on Saturdays. When the subject of possible 24-hour road closures was raised at the “public hearing” in Hyampom, Ms. Popiel responded that there would not be any. However, she failed to mention that there would be overnight closures. In a meeting intended to inform the affected public this would appear to be a deceptive and disingenuous response.

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At the “public hearing” in Hyampom it was discussed and acknowledged that there were numerous unofficial alternate routes available that the public would likely use to avoid or mitigate the impact of the road delays on the Hyampom Road. While it has been stated publicly that these unofficial routes do not meet certain minimum safety standards to be identified as alternate routes, this was not stated at the “public hearing.” This is deceptive and if the official transcript of the “public hearing” does not reflect that these routes are not safe and if the “public hearing” is used to support the EA, then the EA is suspect.

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There are indeed several possible alternate routes that will likely be used for access into and out of Hyampom. All of these routes are narrow, windy, steep and mostly unpaved Forest Service roads. The EA fails to identify these routes, nor does it methodically analyze how, when or why these routes are currently used. There is no mention of how many vehicles per day currently travel these roads. Nor does the EA analyze how many vehicles per day are likely to use these routes during the reconstruction project. Nor does the EA analyze the social impacts such as safety and wear and tear on vehicles; and the environmental impacts from the increased vehicle traffic on these unsafe roads. If the EA claims that the road delays do not amount to a significant impact, then the EA must acknowledge and fully analyze the alternate routes. The failure of the EA to address this issue makes it suspect.

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At the “public hearing” in Hyampom, Ms. Popiel acknowledged that the project is not primarily intended to benefit citizens of Hyampom. She indicated that the USFS was a primary beneficiary of a reconstructed road for the purpose of moving equipment and materials into and out of surrounding Forest Service lands as well as improving public access to these lands. The Forest Service could certainly upgrade one or more of its roads that access the Hyampom area. Were it to do so, then the purpose and need for the

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proposed project would be significantly reduced along with its likely significant social and environmental impacts.

The EA fails to provide a sufficient number of project alternatives for analysis. Only the preferred alternative, a much large alternative and a no project alternative are presented for analysis. Clearly an alternative of smaller scope than the preferred needs to be explored. There appears widespread consensus within the Hyampom community for an alternative that focuses on the specific areas that need repairing. The EA fails to look at this option apparently because such an alternative does not fit the needs of the FHWA. Failure to provide a suitable range of alternatives is another example of the overall deficiency of the EA and makes it suspect.

The EA fails to adequately address the many environmental impacts on such a large area. The impacts to spotted owls, native and anadromous fish populations and other plants and animals are described, but brushed off as not significant. For example, a large swath of spotted owl habitat will be removed to be replaced by low growing vegetation. Certainly this will have a significant impact on the local population of spotted owls.

On Wednesday, April 12, 2006, my wife and I emailed to you 5 relatively simple and specific questions we had relating to road closures and alternate routes. Your response was non-responsive, evasive and unacceptable. It does little to build trust and confidence in the process. Building trust and confidence is part of the planning and construction process, failure to do so is another reason that the EA is deficient and suspect.

If you cannot answer questions regarding road closures and alternative routes cannot be answered, then the environmental and social impacts of the project cannot be adequately analyzed.

I remain opposed to the project as currently proposed. It is too large, too costly and its impact on the Hyampom community, both natural and human is too great. It fails to meet a common sense risk/benefit analysis. The EA should be rejected and an EIS should be prepared that provides a more realistic analysis of the issues involved.

Sincerely,

John Rapf  
Butter Creek Ranch  
P.O. Box 246  
Hyampom, CA 96046  
jrapf@hughes.net  
530 628-4890

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From: Jan Smith  
Sent: Tuesday, April 11, 2006 4:49 PM  
To: 'John Rapf'  
Subject: RE: Hyampom Road Project

John,  
Federal Highways will sign off on the EA. It is the Federal environmental process. The EA covers Segments 2, 3, 4 and 5, which are all of the segments receiving Federal funding of any kind.

After Federal Highways signs off, I will be preparing a CEQA EIR for Segments 2, 4 and 5. These are the segments that Federal Highways Central Federal Land Division (Stephanie's folks) will be responsible for design and construction, including contracting and on-site contractor supervision. I plan to get that document out this fall for public review and comment. The Planning Commission will conduct the public hearings on the Draft EIR, and make recommendations to the BOS on the Final EIR. Then, the BOS will make the final decision whether to certify the EIR, and select a project alternative (or no project). I am shooting for circulating a Draft EIR for public comments August-September, a Final EIR in October, and a BOS decision in November 2006 (plus or minus a month here or there). The BOS previously voted to certify the EIR for Segment 3 on June 17, 2003, and then selected the revised alternative we submitted on August 6, 2003. Segment 3 is federally funded, but through a different program (not Stephanie's folks). Trinity County is responsible for design and construction, including contracting and on-site contractor supervision on Segment 3.

Segment 1 is from Hayfork to the Forest Boundary at Mile 3.7. It is outside the Forest Service and is state and county funded. So, there is no NEPA document. CEQA was done with a mitigated negative declaration approved by the Planning Commission in 2001. The BOS is not required to approve Negative Declarations. Segment 1 is the part that will start this coming May.

Hope this helps,  
Jan

----- Original Message-----

From: John Rapf [mailto:jrapf@hughes.net]  
Sent: Tuesday, April 11, 2006 3:28 PM  
To: Jan Smith  
Subject: Hyampom Road Project

Jan,  
Going into Wednesday's meeting I thought I had a good idea of where we were in the approval process? After listening to Stephanie, I am a bit confused and thought it best to just ask you directly.

So where are we? Who signs off on the EA? Where do the Board of Supervisors (BoS) fit in? What have they voted on? When do you expect for there to be another meeting before the BoS? Which segments were approved and will commence in May, 2006?

I thought I had a good handle on the above, but as I said, the meeting left me confused.

Regards, John Rapf  
Please note change of email address to jrapf@hughes.net



## Popiel, Stephanie

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**From:** Marni Rapf [marnirapf@direcway.com]  
**Sent:** Tuesday, March 21, 2006 5:33 PM  
**To:** Jennifer Lance; Popiel, Stephanie  
**Cc:** wahuber@jeffnet.org; patnlindy@starband.net; gretchen717@earthlink.net; Richard Klein; katharine@direcway.com; Marilyn Renaker; Thomas Flebotte; bernard81356@yahoo.com; nharvey@sonic.net; lcwinter@hayfork.net; jack@freemanarchitects.com; uschiundebe@pghmail.com; timuna@earthlink.net; Steve; Charley Sweet; mmiller@saber.net; wilddriverrose@starband.net  
**Subject:** Re: Hyampom Road

Jennifer,

I think your letter is fine. However, I would encourage you and others in the future to pass letters such as this around to get feed back. For example, some folks are at the least not objecting to the project because they see it as a long term gain for the fisheries as the result of less sediment going into Hayfork Creek because of better drainage management.

The one point that is missing from your letter is any mention of the risk/benefit relationship. In other, words when all this work is done, we are still going to have a winding, narrow Hyampom Road. So what's the point?

I encourage you to include as many our representatives as you like. Patty Berg, Sam Aanested, Barbara Boxer, also Jeff Morris might be sympathetic.

-- John

April 19, 2006  
Ms. Stephanie Popiel  
Staff Environmental Engineer  
FHWA  
12300 West Dakota Ave., Suite 280  
Lakewood, Co 80228  
Attn: HFHD -16 (CA FH 114)

Dear Ms. Popiel,

After attending the public meeting/hearing in Hyampom on April 5, 2006, I have a few additional comments I would like to make.

I believe the Environmental Assessment document is inadequate for numerous reasons. I believe the Hyampom Road project needs to be scaled back considerably to better address the impacts and needs of the Hyampom community and the natural ecosystem of the area.

The EA does not adequately address the social and economic impacts to the community of Hyampom as a result of the proposed road closures. I mentioned some of the reasons in my letter dated 4/3/06. I would like to elaborate on these effects. The Hyampom School will be adversely affected in many ways. The proposed road closures could make it less likely that new families would continue to move to Hyampom. In addition some families may choose to leave Hyampom. With fewer children in Hyampom the school board could revisit the issue of closing the Hyampom Elementary School. This would have tremendous repercussions to the community of Hyampom, both socially and economically. Loss of jobs at the school, lower property values to name a couple. Two of Hyampom's largest employers, Bar 717 Ranch Summer Camp and Eden Botanicals have expressed their concerns with the effects of the road closures on their businesses. Yet the EA dismisses the road closures as "inconvenient but not significant"

Low income families will be adversely affected by the proposed road closures. It will be difficult for them to pick up their weekly commodity (grocery) pick-ups in Hayfork. Their access to the public health offices and nurses in Hayfork and Weaverville will be affected. The elderly will have a difficult time getting to their doctor's appointments in Hayfork, Weaverville and Redding. In non-emergency situations, the elderly in poor health may have to wait for two hours and longer in extreme heat for the road to open.

The issue of alternate routes needs to be studied and addressed. It is not mentioned in the EA, however at a few public meetings and in conversations with government officials it has been acknowledged that Hyampom residents will take these alternate routes rather than sit in road delays for two to four hours. These alternate routes are unpaved, narrow and steep Forest Service roads. The increased traffic on these roads will have significant environmental and safety issues and needs to be addressed and mitigated. This issue can not be ignored.

There are many inaccuracies and misleading statements in the EA. For example on page 16 1.2.4 the EA states that numerous letters were written to request improvements to the roadway. The letters clearly state the road needs improvements, not reconstruction. One of the two letters from Hyampom residents states their concerns regarding road closures and the effect on their business. Yet this is not mentioned.

The EA does not adequately address the environmental effects on the numerous plant, fish, and wildlife populations. Mitigation measures need to be more thoroughly explored to lessen the above-mentioned impacts on the community of Hyampom and the fragile ecosystem.

45 83

The range of alternatives is inadequate. There needs to be a smaller alternative that deals with the problem areas in the road. This lesser alternative would have less social, economic and environmental impacts, yet it was not offered.

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The cumulative impacts have not been adequately addressed. This proposal covers 13.7 contiguous miles of a twenty-two mile road connecting Hayfork to Hyampom in a sensitive watershed with unstable terrain. It has been broken up into five segments, all of which need to be looked at as the one continuous project that it is, and the cumulative effects and consequences addressed.

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In closing I have been involved in this process since I first became aware of this proposed project sometime in 2001 or 2002. I have written numerous letters, and attended numerous public meetings. I feel that my concerns are falling on deaf ears that have already made up their minds to pursue this project regardless of my concerns and those of my fellow community members that share my views. The process is broken. Our lives will be significantly effected for the next seven years and longer.

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Because of these reasons and the ones addressed in my letter of April 3, 2006, I believe that the EA is inadequate. There needs to be a finding of Significant impacts and an EIS needs to be prepared. Real community input needs to be part of the process. There are significant social, economic, and environmental effects from this proposal that need to be addressed before this project should go forward. The risks are too great to this already fragile community and ecosystem.

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Sincerely,

Marni Rapf  
Butter Creek Ranch  
P.O. Box 246  
Hyampom, Ca 96046  
marni@buttercreekranch.com

## Popiel, Stephanie

---

**From:** John Rapf [jrapf@hughes.net]  
**Sent:** Wednesday, April 12, 2006 11:22 AM  
**To:** Popiel, Stephanie  
**Cc:** Jan Smith; Roger Jaegel  
**Subject:** Questions regarding road closures

Dear Stephanie,

As you know we are extremely concerned about the proposed road closures and their social and economic effects on the community of Hyampom.

We are still unclear about the anticipated duration of these closures and were hoping you could answer the following questions.

1. During the summer months what do you anticipate scheduled road closures to be when school is in session?

When school is not in session?

2. Do you anticipate the road closures to end around 5:00 in the afternoon or will they last until 7:00 or later in the evening?

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3. How frequent will Saturday closures occur?

4. How many night time closures do you anticipate and what hours are defined as a night time closure?

5. At the public meeting/hearing in Hyampom it was widely acknowledged that there are Forest Service roads that will be used as "unofficial" alternate routes. In the past it has been publicly acknowledged that these other routes did not meet safety standards to be designated alternate routes. We agree with that assessment. All of these routes are narrow, steep, winding and most are unpaved. Why has the EA failed to address the social, economic, including public safety, and environmental impacts that will result from the increased traffic along these routes?

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Thank-you in advance for answering the above questions.

Sincerely,

Marni and John Rapf

Please note change of email address to jrapf@hughes.net

## Popiel, Stephanie

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**From:** Popiel, Stephanie  
**Sent:** Monday, April 17, 2006 10:59 AM  
**To:** 'John Rapf'  
**Subject:** RE: Questions regarding road closures

Dear Mr. & Mrs. Rapf,

Generally at this point in the process, we respond to comments and factual questions about the EA in the FONSI. Your comments will be included in the FONSI and addressed to the extent possible. As stated on page 59 of the EA, we do not know the specifics of the closure times yet. We will not know the specifics until shortly before construction begins. All closures will be well advertised at least several weeks in advance of the closures.

The FONSI is expected to come out sometime this summer.

Thank you for your interest in this project.

Stephanie L. Popiel, P.E.  
Environmental Compliance Engineer  
Federal Highway Administration  
Central Federal Lands Highway Division  
12300 West Dakota Avenue, Suite 280  
Lakewood, CO 80228  
Phone: (720) 963-3690  
Fax: (720) 963-3610  
Stephanie.Popiel@fhwa.dot.gov  
www.cflhd.gov

-----Original Message-----

From: John Rapf [mailto:jrapf@hughes.net]  
Sent: Sunday, April 16, 2006 9:42 AM  
To: Popiel, Stephanie  
Subject: Fw: Questions regarding road closures

Dear Stephanie,

We are resending our message from April 12, as we had not gotten a response from you. Please let us know if we should be addressing our questions to someone else. We look forward to hearing from you.

Sincerely,

Marni and John Rapf

----- Original Message -----

From: "John Rapf" <jrapf@hughes.net>  
To: "Popiel, Stephanie <FHWA>" <Stephanie.Popiel@fhwa.dot.gov>  
Cc: "Jan Smith" <jsmith@trinitycounty.org>; "Roger Jaegel" <rjaegel@trinitycounty.org>  
Sent: Wednesday, April 12, 2006 10:21 AM  
Subject: Questions regarding road closures

> Dear Stephanie,

>

> As you know we are extremely concerned about the proposed road  
> closures and their social and economic effects on the community of  
> Hyampom.

> We are still unclear about the anticipated duration of these closures  
> and were hoping you could answer the following questions.

>  
> 1. During the summer months what do you anticipate scheduled road  
> closures to be when school is in session?  
> When school is not in session?  
> 2. Do you anticipate the road closures to end around 5:00 in the  
> afternoon or will they last until 7:00 or later in the evening?  
>  
> 3. How frequent will Saturday closures occur?  
>  
> 4. How many night time closures do you anticipate and what hours  
> are defined as a night time closure?  
>  
> 5. At the public meeting/hearing in Hyampom it was widely  
> acknowledged that there are Forest Service roads that will be used as  
> "unofficial" alternate routes. In the past it has been publicly  
> acknowledged that these other routes did not meet safety standards to  
> be  
> designated alternate routes. We agree with that assessment. All of  
> these routes are narrow, steep, winding and most are unpaved. Why has  
> the EA failed to address the social, economic, including public  
> safety,  
> and environmental impacts that will result from the increased traffic  
> along these routes?  
> Thank-you in advance for answering the above questions.  
>  
> Sincerely,  
>  
> Marni and John Rapf  
>  
> Please note change of email address to jrapf@hughes.net  
>

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April 3,2006

Dear Ms. Popiel,

We are opposed to the current proposal (Alternative 2) for The Hyampom Road project as outlined in the Environmental Assessment dated February 2006. We believe this project will cause significant social, environmental, and economic impacts and therefore should not go forward. The proposed project fails to meet a cost benefit analysis. The huge costs can not be justified. Hyampom Road is statistically a safe road in need of minor repairs, not the proposed reconstruction.

#### Significant Social Impacts :

The proposed road closures of four hours in duration and eight hours daily with some night time and weekend closures for five years or longer will severely impact the community of Hyampom, it's businesses, residents and especially children. Some children will go through all of their high school years, being virtually cut off from extra curricular activities offered in Hayfork such as football, baseball, little league, plays and other sports. Emergency vehicles for both fire protection and ambulance will have difficulty getting in and out of Hyampom during blasting and road reconstruction. The residents of Hyampom will be shut off from attending cultural and other events in Hayfork, Weaverville, and Redding. Hyampom Elementary School will be adversely effected. Special needs teachers, nurses, visiting artists and musicians will not be able to visit the school for a few hours as they normally do. Residents of Hyampom will find it nearly impossible to attend adult education classes in Hayfork or Weaverville during the road closures. The Hyampom Community Council, Volunteer Fire Department and other Hyampom organizations will have a harder time with local fundraising events, as folks from other parts of the county will not want to deal with the road closures. The E.A. does not adequately address the impacts of the road closures on the community of Hyampom.

#### Significant Environmental Impacts:

Air Quality - Impacts from dust, possibly asbestos. Already high incidence of cancer in area.

Water Quality - Possible pollutant runoff and effects on humans, wildlife and fisheries. Possibility of landslides during construction and after construction due to unstable terrain and high rainfall totals. Effects of sediment in watershed exceeding Southfork Trinity TMDL's.

Visual and Aesthetics - Construction activities will create negative visual impacts.

Fisheries - Salmonoid population, Coho salmon are already threatened. Concerns with water drafting from Hayfork Creek raising water temperatures.

Wildlife and other threatened and endangered species. Road reconstruction will remove some of their habitat. During construction the noise, dust, water quality, etc. will effect many species. ( NSO, bald eagle, osprey, marbled murrelet, etc)  
Many plant and animal species are already threatened or endangered in the project area.

#### Significant Economic Impacts:

Huge cost of this project in face of Federal budget deficits, and low revenues at

state and county levels.

Loss of tourism dollars to community of Hyampom during five plus years of construction.

(57)

Some Hyampom businesses may close due to loss of revenues and hardships due to road closures and construction. It will be difficult for Hyampom businesses to receive deliveries.

(57)

Loss of revenues to Hayfork businesses from Hyampom residents during five plus years of construction when access to Hayfork is difficult during road closures. (Hyampom residents may change there spending habits, being used to shopping elsewhere and this income may never return)

(70)

Loss of revenue for Hyampom and Hayfork Non profits, Volunteer Fire dept., fundraisers, etc. because of road closures.

(67)

Loss of revenues and jobs from private logging that will not occur due to difficulties transporting logs on Hyampom Rd. during five plus years of construction.

(57)

Fisheries- Impact on declining populations on tourism dollars and commercial fishing industry. (See attached article from L.A. Times March 26, 2006)

(57)

Health care, loss of life, value of human lives. Poor air and water quality, causing possibly higher incidences of cancer and other health related issues. Many residents do not have health insurance, and they will be further impacted.

(58)(103)

Wildlife, threatened and endangered species will be effected from poor air and water quality, possible landslides, and resulting erosion. This has an economic cost as well.

(84)

The cumulative impacts( social, environmental, and economic) have not been adequately addressed. It is still not known what years the various construction will take place due to budget constraints and other variables. Therefore, depending on the overlap, a more detailed cumulative impact analysis needs to be done.

(46)

In conclusion we believe this project will cause significant social, environmental, and economic impacts that will adversely effect an already fragile community and ecosystem and therefore, should not be implemented. We would be happy to discuss the above issues in greater depth.

Sincerely,

Marni and John Rapf  
Butter Creek Ranch  
P.O. Box 246  
Hyampom, Ca. 96046  
marnirapf@hughes.net

cc: Trinity County Supervisors Wendy Reiss, Roger Jaegel



**Popiel, Stephanie**

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**From:** Marilyn Renaker [marilyn@grapevinecreek.com]  
**Sent:** Tuesday, April 18, 2006 10:51 AM  
**To:** Popiel, Stephanie  
**Cc:** Roger Jaegel  
**Subject:** Comments on EA for Hyampom Road

April 17th

PO Box 223

Hyampom

CA 96046

Ms. Stephanie Popiel

Staff Environmental Engineer

FHWA

12300 West Dakota Ave., Suite 280

Lakewood, Co 80228

Attn: HFHD -16 (CA FH 114)

Dear Ms. Popiel,

I have reviewed the EA for the Hyampom road project and find it to be inadequate. The scope of this project, the massive amount of fill, the huge disturbance of soil, the removal of habitat and trees which would provide some stability, the increase in water temperatures, the danger of spills and slides, and the isolation of the Hyampom community every summer for 6 years cannot possibly be called “no significant impact.”. (1)

The EA says there will be increased sediment during construction which you hope to minimize by the work being done in the dry season. Six years of increased sediment and the higher water temperatures you predict is enough time adversely affect anadromous fish reproduction. Furthermore, this EA does not (81)

address the very real possibility of wet winter slides that are massive because construction has destabilized the slopes. There are many examples of such land movement after construction on Highway 36. What if there are massive or multiple slides during winter in the next 6 years and other access routes are closed due to snow or slides? What provision is made for an emergency in this contingency? (34)

The visual aspect of the drive will be drastically altered, changing what is a beautiful drive, into a barren, managed landscape. The trees which provide shade and rest for the eyes, and the canyon which hold vibrant color in the spring and fall will be gone. This is no significant impact? (109)

The EA is ambiguous and needs to be clarified by an EIS. Your EA says the road is safer than most rural roads, yet safety is claimed to be the main reason for the new road. The EA says some accidents are likely not reported and that also near misses are not reported. Is the EA claiming that these near misses and not reported accidents happen only on this rural highway. and so make it vary from other rural highways? How is that statement relevant? Those statements are ambiguous at best and misleading at worst. (1) (27)

The road closure for residents of Hyampom is a nightmare in the making. You are in effect isolating the community from any paved access in or out for 5-6 years! If we manage to make the open hour slots in the work day(provided nothing has hampered the construction and the opening is on time), we are still driving over construction which means significant wear and tear on the vehicle and tires and adds length to the trip. It is the habit of residents if a need arises, to run to Hayfork to get parts, fittings, staples and come back to finish the necessary job. We are now faced with an all day journey rather than the 2-3 hour trip. Any B and B customer coming into town, would have to leave Redding at 5am to make before 8am when the work begins or otherwise time their entrance to the daytime hour open slots. The EA says the road will be open most nights, and defines night as 30 minutes after sundown. That means work will continue after the 5pm opening until 8:30 or 9pm, severely limiting access to evening events. What of the parents who have children in after school activities? Are they to wait in Hayfork until 9pm to start home?. And then there is the ominous warning that some nights the road will be closed all night. Does that mean we must time our heart attacks, broken limbs, severe illnesses and wildfires to the open nights? There are 234 humans by your count who are going to be at risk during construction and that is "no significant impact?" You are liable for the lives and safety of Hyampom residents. (47) (55) (57) (47) (62) (63) (59)

These very real economic and safety impacts which are dismissed as not significant. No tourist wants to drive over construction at any time of the day or night. No worker on the road will stay in Hyampom or bring their family to be trapped all summer with limited supplies at the store and no access to entertainment of any kind. Businesses are bound to suffer and so are the residents of Hyampom. Some mention has been made that during the Sims Fire there was difficulty bringing in the firefighting equipment. During the Sims fire, trucks and equipment came in all night long. What if there had been a night closure of the road? Although the difficulty with getting to Hyampom was not mentioned by the firefighters that saved my cabin, I find it difficult to believe that the lack of easy access during 6 years of (57) (71) (57) (59)

road work in fire season is seen as "no significant impact".

An EIS needs to be done.

①

Sincerely,

Marilyn Renaker

530 623-7426

mari6100@yahoo.com

**Popiel, Stephanie**

---

**From:** David Rosenstein [drosenstein@intexsolutions.com]  
**Sent:** Thursday, March 30, 2006 6:49 PM  
**To:** Popiel, Stephanie  
**Subject:** Hyampom Road Project

Dear Ms. Popiel:

I have a home in Hyampom and want to express my strong reservations about the the Hyampom Road project. They are as follows:

- 1) Significant disruption of salmon habitat in Hayfork Creek which ultimately impacts the Klamath River which has serious environmental problems including depleted salmon populations. (81)
- 2) Landslides and other serious damage as a result of road widening (34)
- 3) Damage / disruption of historical sites (105)
- 4) Negative impacts on other fragile species in the ecosystem including bald eagle, (85)

Based on these factors I believe that the road project should be postponed a minimum of 5 years (10 -15 years is preferable) so there is an opportunity for salmon recovery and more comprehensive planning to prevent or mitigate the other issues I have raised. (81)

Thank you,  
David Rosenstein  
PO Box 29  
Hyampom, CA 96046

April 12, 2006

Ms. Stephanie Popiel, Staff Environmental Engineer  
FHWA  
12300 West Dakota Ave. Suite 280  
Lakewood, CO 80228

RE: HFHD-16 (CA FH 114)

Dear Ms. Popiel:

After attending the recent meeting in Hayfork concerning the proposed Hyampom Road construction, and speaking with various residents of both Hayfork and Hyampom, it appears quite obvious that there is very little local support for your project.

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- 1) The scope of the work is much too extensive for a road shuttling people between a community of 230 persons and one of 1800 population. Few from the Hayfork community ever venture to Hyampom; most of the traffic is from residents of the smaller community shopping in Hayfork or driving on to other points.
- 2) The work will involve closing the road for extended periods for several years. This is not an acceptable trade-off between providing Hyampom residents a better road and cutting off their only ingress/egress for such periods. Hyampom will become a town where no one wants to live during construction (you stated May 1 until Oct 31 every year for approximately 6 years-not considering the inevitable time overruns of possibly 2 or 3 additional years).
- 3) An even worse scenario would involve three years of ripping away at the hillsides and the existing roadbed, then having your budget cut forcing you to abandon the project. You acknowledged at the Hayfork meeting that funding could be revised downward any time in the future.
- 4) The economy of Hayfork may be enhanced by some construction worker spending on accommodations or food, but none of that will come to Hyampom given that the planned construction is on the Hayfork half of the road. Construction workers do not stay at bed and boards, nor will tourists or other visitors if they have to navigate a massive construction project with dust and debris flying about and the road being closed for extended periods. Hyampom's meager economy will deteriorate to almost nothing.

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- 5) Few knowledgeable local people have any faith in your assurances that tearing up a 100-year old roadbed will not later result in massive slipouts and collapse of side banks. Currently there are frequent rocks and small dirt slides into the roadway. None of these require more than a dump truck, loader and 3 or 4 road crew to clear. After your massive incursions into the existing strata, the potential for tons of rock and soil cascading into the roadway will greatly increase. Such slippages will not be cleared by 4 workers in 2 hours. Just a few miles from the Hyampom Road, State Highway 299 was partially closed for a good part of the past winter due to a road being constructed where nature did not intend to cooperate. It took hundreds of work-hours of a large workforce to clear it without the benefit of any guarantee that it won't happen again

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There is no question that the Hyampom Road needs repair work. Not one single person I have spoken to denies that fact. But instead of your agency offering to help design and fund a small project appropriate to the situation, you have attempted to force the community to accept your grandiose and expensive engineering feat. We have essentially been told to either accept the project as presented or the FHWA will take its money and go somewhere else and we will be left with no money to fix the road. Residents are forced to either support the project and put up with years of construction disrupting the only safe access road to their homes, or oppose the project and risk losing funding for making repairs. Your "all or nothing" approach has the potential of causing strife and dissention in a tiny remote community that owes its very survival to cooperation and goodwill among its populace.

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The unilateral manner in which you have presented this project is not the least bit surprising for a Federal agency, but that does not in any way make it palatable. You began the project by telling us what you were planning to do. You held some town meetings, showed some maps and photos and presented a timetable for accomplishing what you wanted to do. You never considered asking the residents who depend upon the road what they wanted prior to beginning the project. Do you have any provision for negotiating with a Hyampom community committee to come up with a compromise project that would address some of the issues that have been raised? If so, it hasn't been mentioned in any of your literature or at any of your meetings. Negotiate-that's what civilized people do to reach compromises and resolve their differences.

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Like many of the people I've talked to, I oppose this project as presented. I would like to see a much smaller project that would address the real problems with the road and not needlessly be doing construction for the sake of spending budgeted taxpayer monies. I believe there are many more ways to address the safety of school children commuting to school in Hayfork than spending 30 million dollars (it's sure to be more by the end of the project) to lay waste to the countryside to rebuild only 14 miles of a 22 mile road, some of which is already two lanes wide. The installation of a few miles of guardrails and a traffic-control stop light at the one-lane section between miles 13 and 14 could go a long way toward enhancing traffic safety at much less cost to the Hyampom community.

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I've been commuting over that road from my home in Hayfork to my job in Hyampom on a daily basis since 1993. I have driven about 3000 round trips safely. The road has never been blocked so that I could not reach my destination on time. There has been some slipouts and some slides, but nothing that required 30 million and 6 years to fix. There are currently some unaddressed spots where the road is undercut or about to slide. If you took all of those sections and laid them end to end, I doubt that you would have more than a mile of road to repair. You would not have a 14 mile pork barrel project.

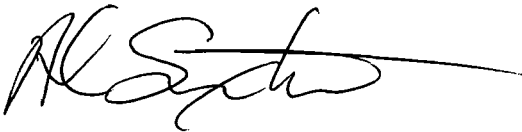
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If you have a Plan B, now would be a good time to trot it out for public viewing. A smaller and friendlier project could go a long way toward building public trust and support for your work. Right now community support is, at best, nominal.

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Sincerely,



Al Saxton  
PO Box 1436  
Hayfork, CA. 96041

cc: Wendy Reiss  
Roger Jaegel

**Popiel, Stephanie**

**From:** Old Garrett Ranch [rivercabins@hotmail.com]  
**Sent:** Wednesday, April 19, 2006 11:30 AM  
**To:** Popiel, Stephanie  
**Subject:** Hyampom Road Project

Hyampom, 04-19-06

Dear Mrs. Popiel,

Thank you very much for taking the effort to come all the way out to Hyampom giving us (the people in Hyampom) the opportunity to hear your arguments at the public meeting and voice some of our concerns.

However, I have the strong impression that our concerns are not heard and it is obvious that the Environmental Assessment (EA) was not prepared correctly. (7) (1)

I am a business owner and resident of Hyampom. The EA document presented by your agency rises many questions and concerns and the time was much too limited at the meeting, so please allow me to bring to your attention some major concerns I have about the impacts of the road project:

Social and economic impacts on the local community are severe and not adequately addressed in the EA. The findings of no negative impacts are assumptions only without any study as a foundation. (3)

6 to 8 years of construction would have a major impact on the social lives of most Hyampom residents. The road closures would make it very hard if not impossible for Hyampom children to participate in after school and summer activities which take place in Hayfork or Weaverville. 8 years cover a major part of their childhood. These children will suffer severe social deficits and be irreparably harmed by the road closures. (62)

Access for emergency vehicles will be severely restricted during construction. The main construction activities will take place in the high fire season. In case of a wildfire time is of essence. A delay of only one hour (easily possible e.g. during blasting activities) of the emergency vehicles can be lethal for a family home or even the entire community. (28)

6 to 8 years of construction would be very hard on all of the Hyampom tourist related businesses (vinyards, restaurant and vacation rentals). The construction times would be during the high season of tourism in Hyampom. We depend on income from rental cabins ourselves. Most of our customers come from the Bay Area. If they are on the road for 6 to 8 hours already, road closures for up to 4 hours at a time, starting at sunrise (4 to 5 am in summer) with 3 opening windows of roughly 15 minutes between closures, would be an inconvenience most customers would not be willing to take. They rather would look for a different place to stay with easier access. This would be detrimental to our and other businesses. (57)

Environmental impacts are not adequately addressed in the EA also.

Logging of 96 ha of prime and designated critical NSO habitat has a severe and long term impact on top of the temporary negative impact through noise and increased traffic during construction not to speak of blasting. (85)

Placement of fill within important floodplain areas of Hayfork Creek to raise the roadbed for up to 3 meters in a narrow valley will drastically decrease floodplain space, leading to increased risk of flooding upstream due to backing up of the water during rising flood stage and increased risk of erosion downstream of the fill area due to increased flow velocity and stream power. Loss of roughness along the raised road bed will potentiate the negative impacts mentioned above. (92)

This might also lead to increased sedimentation into critical coho and chinook habitat for many years after completion of the project and will threaten homes within the effected area. (81)

The FHW does not designate an alternative route during construction. However during several public meetings it was obvious that the FHW expects residents, tourists and emergency vehicles to use forest roads for means of access to and from Hyampom. (53)

These unpaved and narrow forest roads are, according to public statements of forest service and FHW officials, dangerous and not capable of carrying a large number of vehicles. Increased use during construction will have severe negative impacts on the plant and animal life as well as the people who use them. These impacts should be analyzed carefully and are known by the FHW, yet they are not addressed in the EA at all. (49) (50)

The concerns above mentioned are only some examples of the many adverse impacts known by the FHW but not adequately



addressed in the EA.

This leads me to believe that the EA was not done in a good faith effort and definitely is not complete. An EA should reflect all possible impacts in order to be acceptable. Detailed further studies are necessary and an EIS is needed. (1)

The current project is way to big. Smaller scale alternatives with less impacts that are limited to the areas in need of repair, need to be analyzed and evaluated. (20)

sincerely,

Eberhard Schneider

Po Box 155  
Hyamopm, CA 96046

**Eberhard Schneider**

PO-Box 155 • Hyampom, CA, 96046 • Telephone and fax: 530-628-4569

Note: This letter is identical to the e-mail sent by Mr. Schneider. See the e-mail on the previous page for the comment numbers.

**FHW**

**Ms. Stephanie Popiel**  
12300 West Dakota Avenue  
Lakewood, CO 80228

**Hyampom Road Project****04-19-2004****Dear Mrs. Popiel,**

Thank you very much for taking the effort to come all the way out to Hyampom giving us (the people in Hyampom) the opportunity to hear your arguments at the public meeting and voice some of our concerns.

However, I have the strong impression that our concerns are not heard and it is obvious that the Environmental Assessment (EA) was not prepared correctly.

I am a business owner and resident of Hyampom. The EA document presented by your agency rises many questions and concerns and the time was much too limited at the meeting, so please allow me to bring to your attention some major concerns I have about the impacts of the road project:

Social and economic impacts on the local community are severe and not adequately addressed in the EA. The findings of no negative impacts are assumptions only without any study as a foundation. 6 to 8 years of construction would have a major impact on the social lives of most Hyampom residents. The road closures would make it very hard if not impossible for Hyampom children to participate in after school and summer activities which take place in Hayfork or Weaverville. 8 years cover a major part of their childhood. These children will suffer severe social deficits and be irreparably harmed by the road closures.

Access for emergency vehicles will be severely restricted during construction. The main construction activities will take place in the high fire season. In case of a wildfire time is of essence. A delay of only one hour (easily possible e.g. during blasting activities) of the emergency vehicles can be lethal for a family home or even the entire community.

6 to 8 years of construction would be very hard on all of the Hyampom tourist related businesses (wineries, restaurant and vacation rentals). The construction times would be during the high season of tourism in Hyampom. We depend on income from rental cabins ourselves. Most of our customers come from the Bay Area. If they are on the road for 6 to 8 hours already, road closures for up to 4 hours at a time, starting at sunrise (4 to 5 am in summer) with 3 opening windows of roughly 15 minutes between closures, would be an inconvenience most customers would not be willing to take. They rather would look for a different place to stay with easier access. This would be detrimental to our and other businesses.

Environmental impacts are not adequately addressed in the EA also.

Logging of 96 ha of prime and designated critical NSO habitat has a severe and long term impact on top of the temporary negative impact through noise and increased traffic during construction not to speak of blasting.

Placement of fill within important floodplain areas of Hayfork Creek to raise the roadbed for up to 3 meters in a narrow valley will drastically decrease floodplain space, leading to increased risk of flooding upstream due to backing up of the water during rising flood stage and increased risk of erosion downstream of the fill area due to increased flow velocity and stream power. Loss of roughness along the raised road bed will potentiate the negative impacts mentioned above.

This might also lead to increased sedimentation into critical coho and chinook habitat for many years after completion of the project and will threaten homes within the effected area.

The FHW does not designate an alternative route during construction. However during several public meetings it was obvious that the FHW expects residents, tourists and emergency vehicles to use forest roads for means of access to and from Hyampom. These unpaved and narrow forest roads are, according to public statements of forest service and FHW officials, dangerous and not capable of carrying a large number of vehicles. Increased use during construction will have severe negative impacts on the plant and animal life as well as the people who use them. These impacts should be analyzed carefully and are known by the FHW, yet they are not addressed in the EA at all.

The concerns above mentioned are only some examples of the many adverse impacts known by the FHW but not adequately addressed in the EA.

This leads me to believe that the EA was not done in a good faith effort and definitely is not complete.

An EA should reflect all possible impacts in order to be acceptable. Detailed further studies are necessary and an EIS is needed.

The current project is way to big. Smaller scale alternatives with less impacts that are limited to the areas in need of repair, need to be analyzed and evaluated.

Sincerely,



Eberhard Schneider

**Popiel, Stephanie**

**From:** Old Garrett Ranch [rivercabins@hotmail.com]  
**Sent:** Wednesday, April 19, 2006 11:32 AM  
**To:** Popiel, Stephanie  
**Subject:** Hyampom Road Project

Ms. Stephanie Popiel,

04-19-06

Dear Ms Popiel,

I am a business owner and resident of Hyampom.

I have attended some of your public meetings and I have read the Enviromental Assesement regarding the reconstruction of the Hyampom Road.

After reading the EA, I have found that it does not adequately address many of the impacts that this project will have on the enviroment, the wildlife and the residents of Hyampom.

The EA fails to address the adverse social and economic impacts the proposed project will have to the residents of Hyampom.

The proposed road closures will have severe adverse impacts to the elderly residents of Hyampom. They will have difficulties to meet their doctors appointments or to go to Hayfork or Redding to get supplies and groceries.

This is a significant adverse impact that is not acknowledged in the EA and an EIS needs to be prepared.

The proposed road closures will have major adverse impacts to families who live in Hyampom. For 6 to 8 years or even longer, the children of Hyampom will be deprived from after school activities and any summer activities outside of Hyampom. This means, a 6 year old child will be deprived from socializing with other children in these activities until it is 12 or 14 years old, unless his parents are willing to use one of the forest roads as an alternative route. These forest roads are unsafe for regular traffic as was officially stated during several public meetings by forest service officials and FHW officials. These children will be irreparably harmed in their social development.

This is a significant adverse impact that is not addressed in the EA and an EIS needs to be prepared.

The proposed road closures will have severe adverse impacts to businesses in Hyampom. It appears that UPS and FEDEX have not even been contacted about the road closures and it is unclear if they will still deliver to Hyampom. Most people in Hyampom shop online and have their purchases delivered by UPS or FEDEX. If this service is not secured during construction, this will have a significant impact to all residents of Hyampom and the businesses in Hyampom that relay on deliveries by these services.

This is a significant adverse impact that is not addressed in the EA and an EIS needs to be prepared.

The proposed road closures will have severe adverse impacts to tourism related businesses in Hyampom. There are several vacation rentals in Hyampom that relay a 100% on customers from outside of Hyampom.

We own a vacation rental business ourselves and we relay almost 100% on the income from this business. Most of our customers are from the Bay Area. Even with no road closures it takes our customers about 6 hours to drive to Hyampom. We are very fortunate that people are willing to take that burden to spend their vacations in a beautiful place like Hyampom. But they are not able and willing to scedule their travel time to the three short openings of the road during construction. There are plenty of other oportunities for them to spend their vacation at any other vavation rental in Northern California. They will not come to Hyampom during the road construction.

We also offer riding lessons for children. We have customers from Hayfork, that will be severely impacted by the road closures and we will probably loose those customers.

This will be a fatal impact to our business.

This is a significant adverse impact that is not addressed in the EA and an EIS needs to be prepared.

The cumulative sozial and economic impacts do not mention the road closures that start May 1st of this year for segment 1. In fact this road closures have not been mentioned in any public hearing, in the EA or anywhere else in public. This is not a good faith effort and does not exactly build trust in all the other promisses you have made in the past regarding this project.

Since there is no alternative route offered during construction, many people will use other forest service roads in order to be able to get to and from Hyampom.

This roads are steep, narrow, unpaved one lane roads that are not save for two way traffic for up to 150 cars per day. Accidents are almost assured and lives are put at risk due to the fact that FHW is unwilling to offer a safe alternative route. (51)  
 Emergency vehicles might be forced to use these roads if the Hyampom Road can not be cleared fast enough, especially during blasting. This will result in delays of emergency vehicles which could be fatal to lifes and property in case of natural desasters like wildland fires. (34)  
 These are significant adverse impacts that are not addressed in the EA and an EIS needs to be prepared. (1)

Many more environmental impacts are not adequately addressed in the EA which are not all mentioned in my letter. (92)  
 One more example is the placement of fill in the floodplain of Hayfork Creek to raise the road above the 100 year floodplain.  
 Figure 13 of the EA shows the parts of Hayfork Creeek where fill will be placed in a section where Hayfork Creek runs in a relatively steep and narrow canyon. The placement of fill within the floodplain will channelize the stream and will result in severe impacts to the enviroment upstream and downstream of the so effected areas. The upstream areas will suffer more flooding due to the significant decrease in floodplain space. The channelization increases the velocity of the water and this will result in an increase in errosion in the downstream part of the so effected areas leading to increased sedimentation and placing buildings and people at risk. (1)  
 This is a significant adverse impact that is not addressed in the EA and an EIS needs to be prepared.

Over all I have the feeling that the EA is not prepared properly and more studies are necessary to address ALL the negative impacts this project will have to all of us, the wildlife and our enviroment. (1)  
 The scale of the proposed project is way to big and the negative impacts the proposed project will have are unacceptable. A smaller alternative needs to be found in order to repair the parts of the road that really need repair. A complete reconstruction of the road is an overkill that should not be implemented. (19)  
 I hope our concernes will be heard and respected. (26)

Sincerely,

Uschi Schneider

PO Box 155  
 Hyampom, CA 96046

**Uschi Schneider**

PO-Box 155 \* Hyampom, CA, 96046 \* Telephon and fax: 530-628-4569

Note: This letter is identical to the e-mail sent by Ms. Schneider. See the e-mail on the previous page for the comment numbers.

**FHW****Ms. Stephanie Popiel****12300 West Dakota Avenue****Lakewood, CO 80228****Hyampom Road Project****04-19-2004****Dear Ms Popiel,**

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After reading the EA, I have found that it does not adequately address many of the impacts that this project will have on the enviroment, the wildlife and the residents of Hyampom.

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This is a significant adverse impact that is not acknowleged in the EA and an EIS needs to be prepared

The proposed road closures will have major adverse impacts to families who live in Hyampom. For 6 to 8 years or even longer, the children of Hyampom will be deprived from after school activities and any summer activities outside of Hyampom. This means, a 6 year old child will be deprived from socializing with other children in these activities until it is 12 or 14 years old, unless his parents are willing to use one of the forest roads as an alternative route. These forest roads are unsafe for regular traffic as was officially stated during several public meetings by forest service officials and FHW officials. These children will be irreparably harmed in their social development.

This is a significant adverse impact that is not addressed in the EA and an EIS needs to be prepared.

The proposed road closures will have severe adverse impacts to businesses in Hyampom. It appears that UPS and FEDEX have not even been contacted about the road closures and it is unclear if they will still deliver to Hyampom. Most people in Hyampom shop online and have their purchases delivered by UPS or FEDEX. If this service is not secured during construction, this will have a significant impact to all residents of Hyampom and the businesses in Hyampom that relay on deliveries by these services.

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These roads are steep, narrow, unpaved one lane roads that are not safe for two way traffic for up to 150 cars per day. Accidents are almost assured and lives are put at risk due to the fact that FHWA is unwilling to offer a safe alternative route.

Emergency vehicles might be forced to use these roads if the Hyampom Road can not be cleared fast enough, especially during blasting. This will result in delays of emergency vehicles which could be fatal to lives and property in case of natural disasters like wildland fires.

These are significant adverse impacts that are not addressed in the EA and an EIS needs to be prepared.

Many more environmental impacts are not adequately addressed in the EA which are not all mentioned in my letter.

One more example is the placement of fill in the floodplain of Hayfork Creek to raise the road above the 100 year floodplain.

Figure 13 of the EA shows the parts of Hayfork Creek where fill will be placed in a section where Hayfork Creek runs in a relatively steep and narrow canyon. The placement of fill within the floodplain will channelize the stream and will result in severe impacts to the environment upstream and downstream of the so affected areas. The upstream areas will suffer more flooding due to the significant decrease in floodplain space. The channelization increases the velocity of the water and this will result in an increase in erosion in the downstream part of the so affected areas leading to increased sedimentation and placing buildings and people at risk.

This is a significant adverse impact that is not addressed in the EA and an EIS needs to be prepared.

Overall I have the feeling that the EA is not prepared properly and more studies are necessary to address ALL the negative impacts this project will have to all of us, the wildlife and our environment. The scale of the proposed project is way too big and the negative impacts the proposed project will have are unacceptable. A smaller alternative needs to be found in order to repair the parts of the road that really need repair. A complete reconstruction of the road is an overkill that should not be implemented. I hope our concerns will be heard and respected.

Sincerely,

Uschi Schneider



**Popiel, Stephanie**

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**From:** Cynthia Tarwater - TCRCD [ctarwater@tcrd.net]  
**Sent:** Tuesday, April 18, 2006 10:36 AM  
**To:** Popiel, Stephanie  
**Subject:** Re: Hyampom Road Project - HFHD-16, CA FH 114

TO: Stephanie Popiel  
Federal Highway Administration

RE: HFHD-16, CA FH 114

Dear Stephanie,

I'm opposed to the use of Federal dollars being spent on the "reconstruction" of the Hyampom Road primarily because the costs greatly outweigh the benefits. How many people use this road, divide that by the costs.....WOW! Next, I don't believe the EA addresses adequately the environmental effects of the project, the logging of steep slopes, extremely long, steep cutbanks that will fail and ravel onto roadway, etc. Why not assist the county with priority sites instead of the full reconstruction?

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Thanks for the opportunity to comment.

Sincerely,

Cynthia Tarwater, Trinity County



April 18, 2006

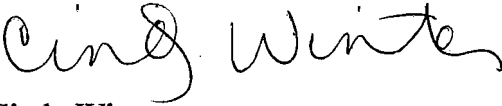
Dear Ms. Popiel,

As a mother of two boys, aged eleven and seven, I travel the Hyampom Road several days a week to Hayfork and beyond for many different after-school activities: Little League four days a week, music lessons once a week, and Karate once a week, all in the afternoon.

If the projected Hyampom Road work goes forward I will be forced to use an alternate route as the timed openings for traffic won't be convenient for me. I believe the Trinity County Road Department and the Federal Highway Administration have been negligent by not discussing at any of their public meetings, the two alternate roads available for a detour. I mention two because each route is far too dangerous for two-way traffic and each would have to be designated a one-way due to extremely narrow lanes, blind curves and the encroaching brush. The very poor existing road conditions on those routes will be brutal to my car! Wear and tear on tires, and front suspensions, and debilitating dust will impact us economically. The additional stresses of six years of this kind of dangerous commuting for the benefit of my boys' educations and personal development at this critical time in their youth will impact our mental and physical health. This will be a serious inconvenience to us on a daily basis for many years! Several other families share this impact and need to be studied more closely in an EIS.

I urge you to reduce the scale of this project!

Sincerely,

  
Cindy Winter